

**A Critical Evaluation of the Town Planning Law of
Northern Cyprus in line with the European Spatial
Development Perspective**

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ABSTRACT

The economic, social and political integration of Europe have not only led to the emergence of an extensive body of policies on various sectors aiming to create a more competitive Europe but gradually paved the way for the materialization of spatial planning policies as a tool to coordinate the spatial impacts of the emerging sectoral policies so that the sustainable development of the European Union (EU) can be attained. Although legally comprised no binding rules, the spatial planning policies have managed to trigger major shifts in the planning legislation and practices of several member states through the implementation tools they promoted; and undoubtedly necessitated planning actors develop awareness on this new field.

The circumstances expressed above have also become pertinent for the case of this study, Northern Cyprus, where the allocation of EU funds to Turkish Cypriot Community after the entry of Cyprus to the EU in 2004 have not only caused change in the existing planning legislation but also attracted the interest of planning professionals to the concept of European spatial planning for creating sustainable solutions to the current problems arising from the traditional planning system.

Built upon the challenging task of the Town Planning Department to initiate reforms in its legislative structure and planning practice in line with the European spatial planning guidelines, the thesis utilizes a combination of descriptive, explanatory and exploratory research approaches to understanding the general field of European spatial planning and the theory of policy making and analysis in a relative context so that a systematic structure for the evaluation of the European Spatial Development Perspective (ESDP) and the key legal document guiding the

urban development in the entirety of Northern Cyprus, the Town Planning Law (55/89) can be accomplished.

Although the findings of the methodical evaluation confirm that there is a degree of conformity with the ESDP, nonetheless it remains crucial for the Town Planning Law to restructure itself in order to assist the convergence of the existing planning system to European standards. Accordingly, the said document should be reorganized to promote a more participative approach to planning where all stakeholders and major sectors with spatial impacts are incorporated into the process with the utilization of local and national planning tools; and awareness to European planning issues are enhanced with the endorsement of cross-border and transnational planning tools.

Keywords: European Spatial Planning System, Urban Policy Analysis, the European Spatial Development Perspective, Town Planning System of Northern Cyprus, the Town Planning Law of Northern Cyprus (55/89)

ÖZ

Avrupa Birliği'nin (AB) küresel ekonomi içindeki rekabet edebilirliğini artırmayı hedefleyen ekonomik, sosyal ve politik entegrasyonu, sektörel politikalara yön verirken, aynı zamanda birbiri ile çelişen sektörel politikaların de hayata geçmesini sağlamıştır. Mekan üzerinde etkileri olduğu anlaşılan bu politik araçların eşgüdümlü olarak ele alınmasının önemine dikkat çeken; ve bunun AB'nin sürdürülebilir gelişimi açısından önemli olduğunu vurgulayan Avrupa mekansal planlama politikaları ise sektörel hedeflerin uyumlaştırılmasını ve entegrasyonunu hedefler. Bu amaç doğrultusunda, Avrupa Komiyonu ve üye ülkelerin girişimleri ile hazırlanan ve mekanı hedef alan stratejik/politik belgelerin, yasal bağlayıcılıkları olmamasına rağmen, yeni ve meşru bilgi kaynakları olmaları dolayısı ile önerdikleri yöntemlerin ve uygulama araçlarının, pekçok üye devletin planlama mevzuatlarında değişimi tetikledikleri bilinmektedir. Bu durum planlama ile ilgili kurum, kuruluş ve aktörlerin yeni politikalar oluşturarak AB düzeyinde de farkındalık geliştirmelerini sağlamıştır.

Kıbrıs'ın 2004 yılında AB'ye katılması ile beraber Avrupa Komisyonu'nun Kuzey Kıbrıs'a sağladığı mali yardım; KKTC mevzuatının AB yasalarına uyumlaştırılmasını bir gereklilik haline getirmiştir. Bu çerçevede talep edilen teknik yardım aracılığı ile planlama ile ilgili yasal mevzuatın yeniden yapılandırılması gündeme gelirken, paylaşılan süreçte planlamadan sorumlu profesyonelleri de Avrupa mekansal planlama kavramı ile tanıştırmıştır.

Bu çerçeveden bakıldığında Avrupa mekansal planlama yaklaşımı, geleneksel planlama sisteminin bir sonucu olarak ortaya çıkan çeşitli kentsel sorunların çözümlenmesinde yenilikçi bir araç olarak görülmektedir. Tez, bu hedef

doğrultusunda Avrupa mekansal planlama yaklaşımına ve mekansal politikaların analiz yöntemlerine göreceli olarak bakmakta; kurguladığı sistematik yöntem aracılığı ile Avrupa Mekansal Gelişim Perspektifi'ni (AMGP) inceleyerek elde edilen bulgular ışığında KKTC'de planlamayı yönlendiren İmar Yasası'nın (55/89) Avrupa Mekansal Planlama ana ilkeleri ışığında nasıl iyileştirilebileceği veya yeniden şekillendirilebileceği konusunda bazı tavsiyelerde bulunmaktadır.

Analiz sonucunda varılan bulgular, İmar Yasası'nın AMGP'ye kısmen uyumlu olduğunu ortaya koymuş olsa da, söz konusu Yasa'nın yenilikçi bir planlama biçimi olarak değerlendirilen Avrupa mekansal planlama yaklaşımını destekleyecek şekilde yeniden düzenlenmesi, hem yasal mevzuatta yapılacak değişiklikleri mümkün kılacak hem de uzun vadede planlama pratiğinin olumlu yönde değişmesini sağlayacaktır. İmar Yasası'nın, tüm ilgili paydaşların ve halkın, ayrıca mekansal etkileri olan birincil sektörlerin sürece katılımlarını artıracak yerel ve ulusal planlama araçlarını; ve Avrupa planlama konularında farkındalığı geliştirecek sınır ötesi ve uluslararası planlama araçlarını meşru kılacak şekilde yeniden düzenlenmesi, Avrupa mekansal planlama sistemine uyum sağlama anlamında önemli bir adım olacaktır.

Anahtar Kelimeler: Avrupa Mekansal Planlama Sistemi, Kent Politikaları Analizi, AMGP, Kuzey Kıbrıs Planlama Sistemi ve İmar Yasası (55/89)

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LIST OF ABBREVIATIONS

AESOP	Association of European Schools of Planning
CAP	Common Agricultural Policy
CEMAT	Conférence Européenne des Ministres pour Aménagement du Territoire
CDCR	Committee for the Development of and Conversion of the Regions
CD-PAT	Council of Europe's Cultural heritage Committee
CEC	Commission of the European Communities
CI	Community Initiative
CoE	Council of Europe
CoR	Committee of the Regions
CP	Community Programmes
CSD	Committee of Spatial Development
CSRS	Cultural and Scientific Research Society
DG	Directorate-General (of the European Commission)
DG REGIO	Directorate General for Regional Policies
EAGGF	European Agricultural Guidance and Guarantee Fund
EC	European Commission
ECOSOC	Economic and Social Committee
ECSC	European Coal and Steel Community
ECTP	European Council of Town Planners
EIB	European Investment Bank
EP	European Parliament
ERDF	European Regional Development Fund

EREC	Environmental Research and Education Center
ESDP	European Spatial Development Perspective
ESF	European Social Fund
ESPON	European Spatial Planning Observation Network
ERASMUS	European Community Action Scheme for the Mobility of University Students
EU	European Union
EUKN	European Urban Knowledge Network
FDA	Fishery Dependent Areas
FIFG	Financial Instrument for Fishery Guidance
HEREIN	European Heritage Network
ICZM	Integrated Coastal Zone Management
IDO	Integrated Development Operations
IMP	Integrated Mediterranean Programme
NGO	Non governmental Organization
NMP	Nicosia Master Plan
NPCI	National Programmes of Community Interest
NUTS	Nomenclature of Territorial Units for Statistics
PHARE	Poland and Hungary: Assistance for Restructuring their Economies
RECITE	Regions and Cities of Europe
REPS	European Dry Stone Network
RTD	Research Technology and Development
SID	Society for International Development
SOCRATES	An educational Initiative of the European Commission
SME	Small and Medium Sized Enterprises

SPESP	Study Programme on European Spatial Planning
SUD	Subcommittee on Spatial and Urban Development
SUDEN	Sustainable Urban Development European Network
TAIEX	Technical Assistance and Information Exchange Instrument
TEAP	Tampere ESDP Action Programme
TENs	Trans-European Networks
TIA	Territorial Impact Assessment
TPD	Town Planning Department
TRNC	Turkish Republic of Northern Cyprus
URBACT	Urban Development Network Programme
UK	United Kingdom
UN	United Nations
UNSG	United Nations Secretary General
WHO	World Health Organization

Chapter 1

INTRODUCTION

The research utilizes a methodical approach to understand an emerging discipline, the discourse on European spatial planning, which as a strategic planning model has not only triggered a major shift in the understanding of town and country planning at European scale but also initiated revolutionary changes in the national planning policies and practices of various member states. Coming to embodiment in 1990s, as a result of the need to provide counteractive measures to coordinate the increasing amount of EU policies (on housing, transportation, agriculture, environment, etc.) with considerable spatial impacts, the key aim of European spatial planning has been to generate spatial policies that will help sustain the cultural, architectural and biological diversity of member states whilst promoting the economic, social and political integration of Europe. This target has demanded a novel approach to planning at both EU and member states level where various sectors and administrations at local, regional and/or national level needed to cooperate to achieve targets such as sustainable urban-rural relationships, development of infrastructure, prudent use of land, natural assets and alike. Unquestionably, the challenging task of achieving sustainable development¹ both within the European Union and its member states would not be on the agenda of the EU without the strategic policy documents such as the Europe 2000, Europe 2000+,

¹ "Development that meets the needs of the present without compromising the ability of future generations to meet their own needs" (the Brundtland Commission, 1987).

the European Spatial Development Perspective or the Territorial Agenda of the European Union that aimed for a set of spatial guidelines to steer planning in the EU. Remarkably, despite their informal nature resulting from the subsidiarity² principle of the EU, the European spatial planning policies have been applied in many of the member and candidate states due to the funds, programmes, action plans and other implementation tools promoted by the spatial policies of the EU.

It is these documents produced by the European institutions over the years that helped the formation of the European Spatial Development Perspective (ESDP), a significant source of reference compiled by the EC and the Member States in between the years 1993-1999 to steer spatial development in the EU and the member states. The establishment of European spatial planning as a new discipline at the European level especially in the last two decades is closely associated with the emergence of the ESDP which defined the guidelines of European spatial policy. Consequently, its visionary nature; the importance it advocates to sustainable development and cooperation it attempts to establish at various administrative levels and sectors; the policy objectives and implementation tools it promotes; the coordination it attempts to create between the policy objectives and instruments to realize them; and the integrated approach it advocates to planning make the ESDP a valuable resource to investigate further. Considering the significance attributed to this document at the EU level and the degree of influence it has exerted over the planning legislation, practices and cultures of the member states, understanding the ESDP, and therefore the European spatial planning approach of the EU, will help

²The European social model which indicates that those processes and decisions that can be best performed at local and or regional levels should be executed there. Only those that cannot be performed satisfactorily at lower levels should be delegated to higher levels.

towards drawing out some lessons for the case of this thesis, the Town Planning Law (55/89) of Northern Cyprus.

Due to its unitary state structure, Northern Cyprus possesses a very centralized approach to planning where the responsibility of making plans and policies as well as controlling development are delegated to the Town Planning Department (TPD) of the Ministry of Interior and Local Administrations. As the highest level legal instrument, the Town Planning Law (55/89) provides a legal framework for the planning and management of the territory of Northern Cyprus through a hierarchy of plans -national physical plan, local plans, environmental plans and priority area schemes- in consultation with the relevant actors, the public, professional organizations, municipalities and governmental bodies. As planning is an act exercised under the central authority with a hierarchy of statutory tools, it provides very limited opportunities for other sectors and levels of administration to get involved in planning activities unlike what the EU spatial planning system promotes.

Now that the existing legislative framework is facing new challenges as a means of the growing influence of the EU spatial and sectoral policies due to the financial and technical aid received from the European institutions, the transformation of the overall system to sustain these amendments has become unavoidable. Undoubtedly, these changes will not only lead to the reshaping of the administrative structure to support the new planning approach, but gradually help towards the enhancement of the planning practice in the future.

Due to being the sole authoritative body for the preparation of plans and policies as well as controlling growth, the TPD of the Ministry of Interior and Local Administrations is now facing the challenge of harmonizing with the EU norms and

standards; and move towards a proactive approach in planning that will support the integration of various administrative levels and sectors into the planning process. *The Spatial Planning Stakeholder Conference* organized by the TPD on 28th of June 2012 can be considered as an important step towards displaying a strong will for demanding legislative change that will initiate a transformation in the overall planning system whether it is the administrative structure or the actual practice of planning. The fact that technical assistance has been demanded from the TAIEX programme proves that the beneficiary finds the existing situation unsustainable and stipulates its transformation. *The Spatial Planning Policy Declaration* presented at the Conference towards the creation of a *Sustainable Development Strategy* summarizes the goals and approaches of the TPD and is very likely to map an alternative route for the prospective development of urban policies and their implementation; and is likely to cause changes in the existing planning system and administrative organization of the TPD in the future.

Although this conference can be described as an intention towards change, nonetheless, the goals stated at this meeting, such as a shift towards a participative and proactive planning have not been reflected upon the preparation process of the national physical plan carried out within the last two years. This has highly been criticized by the Chamber of Turkish Cypriot Architects -whose number is increasing rapidly- and emerging NGOs who consider themselves as potential key actors in the decision making process relating to urban issues. Due to the existing authority turmoil, the TPD –a small community of town planners- is under rising pressure to initiate radical changes regarding its overall system.

The demand for change is most apparent in the daily life where for the first time in half a century, the everyday discussions, newspaper and TV news and

political talks have shifted the interest away from the infamous Cyprus dilemma to the social, environmental and fiscal problems that the country is facing. In line with the emergence of the national physical plan to an environment of rising urban problems, the Union of Chamber of Cypriot Turkish Engineers and Architects as major stakeholders have made a public statement in February 2013 indicating that they will not issue any opinions on the first draft of the national physical plan due to being alienated from the whole process (Talepler sonuçsuz kaldı, 2013). Consequently, the protests of major local interest groups have enforced the TPD employ some confidence building measures to regain the public support they now need for the acknowledgment of the national physical plan. The recent jurisdictional disputes over who should have the authority to make plans and control development, and whether this authority should be shared by the key actors, have put a new agenda in front of the TPD and therefore the central government.

On the other end of the scale, there is the EU task office delivering the appointed financial aid to the Turkish Cypriot community in line with the objectives of the EU spatial planning policies. This has helped towards rehabilitation of infrastructure and historical heritage, strengthening of civil society and development of rural areas which in turn created a demand from society towards change regarding the centralized planning approach of the central government. Unquestionably, under these circumstances further examination of an EU approach to planning which is built on the principle of subsidiarity that supports decentralization; making better exploitation of local knowledge, participation and democracy can guide the change demanded by the Turkish Cypriot community. The sustenance of the national physical plan which has just been just declared; and the *Sustainable Development Strategy*, the TPD is planning to develop until 2016 with a more participative

approach will not be possible without the reformulation of the Town Planning Law. Undoubtedly, this is not an easy task as it will necessitate major changes in the overall understanding of the central government to adopt a sustainable political agenda and develop a more participative approach to planning where planners, architects and other key players need to build up knowledge on European planning issues, strategic thinking; and practice that supports transparency, decentralization and cooperation.

Within this general framework, the research carries out a literature review on the selected keywords, the European Spatial Planning System, Urban Policy Analysis and the ESDP to understand the discourse on European spatial planning, the context which the ESDP was born; the document itself; and existing theoretical approaches on urban policy making and analysis so that a systematic structure for the evaluation of the European spatial policy can be constructed. Undoubtedly, this task can only be accomplished by the comprehensive analysis of the ESDP as the most detailed European spatial policy document of its time as well as submerging into the spatial planning approach of the EU to appreciate the environment in which strategic documents are born and continue to exist. The knowledge on how the ESDP was born and delivered, its structure as a strategic document as well as the action plan it promotes for its successful application remain highly significant areas for drawing out lessons. As far as the said policy document is concerned, although it was a set of guidelines formed by an elite group of professionals, nonetheless, it represented the ideas of the key beneficiaries who would be affected by the process: the member states. Undoubtedly, any policy document faces failure if it has not been put together by the cooperation of the relevant stakeholders. Moreover, creation of necessary financial and fiscal tools and delivery of an action plan, a mechanism to support

continuous learning and research and a monitoring system to measure the success of policies and evaluating why they failed or succeeded are now part of any strategic document that attempts to shape future development of any context.

This process is supported by data collection relating to the case study which comprises desk interviews with relevant professionals to understand the problem; as well as newspaper and internet search to collect necessary information relating to the topic. The literature survey carried out towards the understanding of the town planning system and Law of Northern Cyprus is restricted by the available legal documents, newspaper and internet articles as well as interviews as there is limited academic writing on the subject matter.

Bearing in mind that European spatial planning is a considerably new and growing discipline where there is not much well structured and basic information available to introduce architects and other interested parties in the non-academic world to the topic, the thesis can be considered as a significant contribution towards the achievement of this goal. Moreover, the compilation of limited research on the theory of urban/spatial policy analysis and creation of evaluation criteria for the spatial policy analysis may be regarded as the original contribution of this thesis to the academic field.

1.1 The Definition of the Problem

The richness and complexity of the emerging practice of European spatial planning are not only leading to new developments in member states but continuously posing new challenges for planners and policy makers. This is caused by the changing political agenda of the EU which manifests itself in new policy processes and instruments; and requires national planning policies undergo changes as well as necessitating planners think beyond the borders of traditional standards.

If planning has become a source to provide for the lawyers rather than citizens due to the conflicting interest of citizens, developers and plan making authorities, then change is unavoidable. Being in a similar position, Northern Cyprus suffers from such detrimental effects of regulatory planning as well as lack of a steady political environment that puts sustainable development at the centre of its agenda.

Having its planning system still largely based on colonial laws; and consequently exercising planning with a range of statutory policy tools such as master plans, zoning decisions, planning codes, cabinet decrees and laws in a piecemeal approach which no longer reflect the need and priorities of today's towns and cities that continuously transform with dynamics of the real estate market, the existing planning system as well as its key tool, the Town Planning Law (55/89) has become insufficient for regulating the balanced development of Northern Cyprus; contributing towards cross-border planning; and positioning Northern Cyprus in the wider European context.

As the sole responsible central body for the making of plans and controlling of development in Northern Cyprus, the Town Planning Department (TPD) is under the political pressure of administrators and politicians to act in favour of short-term economical goals of governments versus sustainable development which prevents the conception of long term strategic plans regarding the territory of Northern Cyprus. Due to these rising political intrusions, the TPD has received heavy criticisms from the civil society, professional organizations and opposing political parties for acting against the public benefit; its organizational deficits such as failure in providing cooperation between various levels of government and civil society and sectors with significant spatial impacts; and ill functioning of the system such as long

bureaucratic procedures in providing planning permissions. Furthermore, their long lasting reluctance in sharing data and knowledge, or forming partnerships with other sectors and/or institutions in the preparation of policies, and controlling of development have created divergence amongst actors who are directly influenced by the execution of these policies. The unresolved property issues regarding the Cyprus problem, and granting of State owned lands for development purposes under the authority of another State department, increased the percentage of privately owned lands significantly, making the task of developing plans and programmes even more difficult over time.

Considering that local (master) plans and cabinet decrees prepared so far only account for 40% of the whole territory, and the national physical plan to guide the future allocation of lands has been introduced early this year; as well as the lack of any strategic documents to achieve any long term plans, it is not surprising to see major cities suffering from various urban problems such as urban sprawl, declining neighbourhoods or lack of appropriate infrastructure (Hacıoğlu, C., 2012).

Unquestionably, partly due to the existing planning system inherited from the British planning culture and partially due to the existence of an enlarging architectural society and limited number of urban planners, there exists a strong urbanism approach in planning that draws attention to architectural design and building control. When the current regulatory planning approach; the dynamics of urban development and political turmoil is considered, the mismatch in between does not only create a hindrance for the implementation of existing land use policies but surely makes the task of adjusting toward the ESDP a difficult process.

The desk interviews carried out with professionals who worked at the TPD (Öztek, 2010, Örek, 2012) and architects working in practice (Bodamyalızade, 2012,

Türsoy, 2012, Oge, 2012, Davulcu, 2012, Sakallı, 2012) have furthermore drawn attention to the lack of authority of the central government to implement relevant laws and regulations due to the deficiency of a steady political environment and lack of politicians' commitment to current legislation available on planning issues. Similarly, Kanlı (2013), the Head of the Chamber of Town Planners have drawn attention to the fact that it is not the deficiency of appropriate policies that planning practice suffers from but lack of legitimacy of relevant institutions to enforce the implementation of laws. Apparently, another significant issue affecting the overall planning system negatively is the low degree of cooperation with related governmental agencies. For example, the two important sectors that Town Planning Law demands cooperation with, the Department of Environment and Antiquities, have not developed strong links over the years as they were always located under different ministries as well as different roofs. Although the professionals from the TPD claim that there is a degree of cooperation, they perceive this situation as a major hindrance to evoking participation between the institutions.

In addition, it has been discovered that the involvement in international planning events; cooperation with the European planning organizations and awareness of European documents such as the ESDP is low. Apart from limited experiences at international level, there has been no initiation of cross-border planning apart from the Nicosia Master Plan. Moreover, due to the presence of the centralized and regulatory planning approach and low awareness of international agenda neither the TPD nor major municipalities have a spatial development strategy or framework that sets out long term goals.

Moreover, the low degree of cooperation in between major municipalities and TPD has also been highly criticized. Öztekin (2010) proudly expresses how much she

has learned from the participatory approach of the Nicosia Master Plan which did not only bring professionals from the two communities together but necessitated negotiating with municipalities and other interest groups pertaining to the planning of the capital city. Other professionals who worked on the NMP have also stated that this was an experience they enjoyed and learned from, which did not only contribute to bi-communal cooperation amongst the two communities but strengthened the relationship with the local authorities. Many years later, Nicosia Master Plan received international recognition and award for enabling professionals from various levels of government on both parts of the country come together to develop a capital city without any boundaries.

On the other hand, there are heavy criticisms relating to the current planning system for not being evidence based mainly due to the inexistence of a network that provides valid information for the making of long-term plans (Oge, 2012, Bodamyalızade, 2012). Moreover, there are criticisms relating to the form of public participation which does not provide many options for the citizens actively participate in shaping the policies that affect their lives.

Additionally, architects interviewed (Davulcu, 2012, Bodamyalızade, 2012, Sakallı, 2012, Tursoy, 2012) have argued that the planning permission procedure is too lengthy and prevent the developers investing in large scale projects. There have also been incidents where the clients of some architects with potential large-scale development projects had redrawn their investment due to the lengthy and burdensome process they experienced with the TPD (Yıldırım, 2010). On the other hand, the professionals from the TPD have indicated that fulfilling the act of planning permission requires a lot of their time and manpower preventing them concentrate on plan making process.

Interviews relating to the Town Planning Law have shown that professionals from the TPD find the existence of a high level legal document necessary for controlling development (Mesutoğlu, 2012, Öztekin 2012), whereas architects and public representatives have indicated that there should not be any legally binding documents bringing restrictions to development. As far as the degree of participation is concerned, the Law demands that plans at various levels should be prepared through a consultative rather than a cooperative process where the right to giving the final decision belongs to the TPD. On long term, this has created a loss of interest in planning issues, as well as a negative momentum towards the TPD. The Law is highly criticized for the level of participation it promotes amongst various levels of government, between the central authority and other sectors; and not helping build up partnerships with the private sector (Bodamyalızade 2012, Öge, 2012).

Although the said document recognizes the fact that that some sectors influence planning, nonetheless, there is no reference to other planning levels such as neighbourhood, regional, cross border or transnational. There is reference to various planning tools such as the national physical plan, environmental and local (master) plans; yet, their execution in practice is hindered by appropriate implementation tools such as action programmes, financial and fiscal tools. The preparation of the national physical plan for example became only possible through the TAIEX programme of the EU after twenty-three years of the publication of the Town Planning Law due to lack of political determination, longstanding Cyprus problem; deficiency of necessary technical know-how, adequate staff and priorities of the TPD. Having being declared to public hearing after its completion over 31 months, the TPD received intense criticism from the first degree interest groups such as the

Chamber of Turkish Cypriot Architects for not being integrated to the preparation process of the plan.

Consequently, the major problems rooted in the Town Planning Law can be summarized as;

- The delegation of the responsibility relating to planning to the central authority. This does not only prevent the purchase of any services for the delivery of plans but prevents the involvement of interest groups in the plan making and implementation process. As interest groups are not given any responsibilities in the process, they become part of the problem rather than the solution during the execution of the policy.
- The deficiency of cooperation between different levels and sectors partly due to turbulent political environment; and the location of relevant departments under separate ministries and roofs. The result is the production of conflicting decisions on the urban environment and a low degree of participation in the planning issues.
- The lack of a national spatial strategy or framework which sets out medium to long-term goals for the sustainable development of Northern Cyprus.
- The deficiency of appropriate implementation tools to realize the idealized goals set in the plans (i.e. cabinet decrees, local plans, etc.).
- The non-existence of a body producing knowledge and data on urban issues.
- The deficiency of a monitoring and evaluation cycle in the overall process.
- An unstable political environment.

1.2 The Aim and Objectives of the Research

In the frame of ongoing processes of change that Northern Cyprus is facing as a means of the EU funds where the Community aid is targeted towards the strengthening of the economy, developing a stronger non-governmental sector, investing on the main infrastructure developments, conserving natural and architectural heritage and developing of the rural areas, it becomes unavoidable for the central government not to respond to the European context and get involved in a reform process regarding its planning legislation, that in time will impact upon the administrative structure and the overall planning practice.

However, in order to be able to trigger change, a shift from a more regulatory system -that is built on land-use maps and legal instruments - to a proactive system - grounded on a strong political agenda, a participative approach and strategic documents- is required and this will only be possible through the application of European spatial planning policies that possess parallel characteristics. Therefore, understanding the European spatial planning context will not only help re-evaluate the Town Planning Law as the key legislative document regulating planning activities in Northern Cyprus, but create a ground for understanding what really should change so that the problems discussed above can be resolved on long term. What is required is not just harmonization with the EU legislations but modifications in the overall planning system so that planning practice can also change over time. However, reforms in legislations may not always trigger transformation in existing practices; unless radical changes take place. Considering that countries' planning systems are the result of their cultures and social models; initiating change may not be such a clear-cut process.

If the key target is to achieve sustainable development in the territory of Northern Cyprus and presumably in the entirety of Cyprus in case of unification; as well as help position Northern Cyprus within the wider European space, then Town Planning Law is an instrument which should promote the implementation of these goals. Nevertheless, this is only possible through profound changes in the planning system so that a new administrative structure can be formed; and gradually influence the planning practice.

In need to achieve this target, the thesis carries out a theoretical study on urban policy analysis in order to understand how policy can be evaluated. This knowledge is utilized to build up criteria for the assessment of the European spatial policies -standards, instruments, policy narratives and discourses- within the context of European spatial planning, as well as the case study, the Town Planning Law within the wider perspective of planning system of Northern Cyprus. For this purpose, the thesis focuses on a significant document, the European Spatial Development Perspective in order to obtain some key messages for the restructuring of the Town Planning Law.

The general objectives of the thesis can be summarized as:

1. Understanding the theory of urban policy analysis
2. Grasping how policy can be evaluated
3. Developing a methodical framework for the analysis of the ESDP
4. Understanding the European spatial planning discourse through a critical perspective and presenting this knowledge in a systematic framework
5. Understanding the ESDP through a methodical approach
6. Identifying the problems rooted in the planning system of Northern Cyprus

7. Understanding the Town Planning Law of Northern Cyprus through the analytical perspective of the ESDP
8. Attaining some concrete messages towards the restructuring of the Town Planning Law

1.3 The Research Question

Does the Town Planning Law of Northern Cyprus conform to the European Spatial Development Perspective in principle? What are the diverging issues?

1. Does the Town Planning Law comprise/propose any instruments for its self functioning?
2. Does the Town Planning Law involve any monitoring and evaluation processes for the plans (local plans, environmental plans, etc.) it is promoting?
3. How are the major actors involved in the plan making process in the Town Planning Law?
4. Which sectors does the Town Planning Law recognize as influential in affecting spatial decisions?
5. What are the key principles underlying the ESDP?
6. Who are the major actors involved in the making of the ESDP?
7. Which sectors does the ESDP recognize as influential in affecting spatial decisions?
8. What sort of implementation tools does the ESDP promote for its application?
9. Is there any evaluation and monitoring cycles embedded in the ESDP?

1.4 The Limitations of the Research

The thesis is limited to the exploration of two specific policy documents, the ESDP, and the Town Planning Law of Northern Cyprus (55/89) within a systematic framework derived from the theory of urban policy analysis where the specific planning contexts of both cases are thoroughly investigated.

Within this context, the thesis explores why the ESDP has been advocated great significance and has become a very influential document in the EU, its member and candidate states since its conception starting from the early 1990s. The fact that it is the first comprehensive document prepared by the EU Ministers responsible for Spatial Planning of which the sole role and purpose is to shape the way policy-makers think and interact at a variety of different scales; and the engagement of the European Commission in an application program concerning the ESDP make the document a valuable resource to be investigated further. In order to be able to develop a systematic framework for the evaluation of the ESDP, the thesis focuses on the theory of urban policy analysis in search for certain keywords.

As its case study, the thesis concentrates on the Town Planning Law (55/89) of Northern Cyprus as it is considered as the highest rank document regulating all the planning activities in Northern Cyprus. In line with the discussions relating to the delivery of a *Sustainable Development Strategy* for Northern Cyprus, the TPD has been obliged to put on its agenda the revision of the Town Planning Law after twenty three years of its emergence so that the proposed changes can be realized. In need to develop some concrete proposals towards this ideal, the ESDP is evaluated through a critical framework so that some lessons can be drawn for the case of Town Planning Law of Northern Cyprus. During this process, the thesis advocates importance to understanding these documents within their specific contexts.

1.5 The Methodology of the Research

The thesis utilizes a combination of descriptive, explanatory and exploratory research methods to contend with the topic and the problem of this study. The descriptive approach has been used to express the problem in a systematic manner whereas the explanatory method is employed to clarify why and how there is a relationship between the two cases, the ESDP and the Town Planning Law of Northern Cyprus. Exploratory approach has been utilized to explore the field of urban policy analysis and carry out a systematic study on the case of Northern Cyprus where there is limited research.

In the application of these methods, initially a literature survey has been carried out where mainstream periodicals such as the European planning studies, EU policy documents and books relating to the topic have been studied to understand the European spatial planning discourse, the context which the ESDP was born; the document itself; and existing theoretical approaches on urban policy making and analysis. This has mainly been carried out on certain keywords specified as the European spatial planning, the ESDP, Urban Policy Analysis, the Town Planning system and Law (55/89) of Northern Cyprus.

The second step involves the collection of data relating to the case study. This comprises desk interviews to understand the problem; as well as newspaper and internet search to collect necessary information relating to the topic.

After the compilation of the necessary data, the study employs a case study approach to policy analysis where the European Spatial Development Perspective of the EU is explored through a framework derived from the general theory of urban policy. The case study, the Town Planning Law of Northern Cyprus is evaluated against this framework to arrive at some concrete results. During the conduct of the

ESDP analysis, the framework gathered from the general urban policy analysis is utilized. This includes a textual analysis where the key principles behind the ESDP are attained. The contextual analysis aims to understand the context in which the ESDP and the Town Planning Law are born and continue to exist. The operational analysis on the other hand interrogates the tools policy uses in its implementation.

1.6 The Structure of the Research

The thesis is structured upon six chapters. The first chapter introduces the reader with the general topic; outlines the main research question that the whole study is built on; puts forward the objectives to be achieved; and highlights the limitations and methodology of the thesis.

This is followed by the second chapter where the discourse on the European spatial planning and various theories of urban policy analysis are looked at in more detail to construct a methodical framework to assess the European Spatial Development Perspective and the Town Planning Law of Northern Cyprus respectively. For this purpose, a literature survey has been carried out to understand the reasons behind the emergence of the European spatial planning discipline, its meaning and tools. In this chapter, the research also focuses on the planning legislation of some of the selected EU member states in need to justify to what extent the ESDP has been influential. Moving on from these discussions, the study accomplishes a research on urban policy analysis methods in search for techniques for the evaluation of the ESDP and the Town Planning Law of Northern Cyprus.

The third Chapter examines the European Spatial Development Perspective (ESDP) through the methodical framework derived from the theory of urban policy analysis. In line with this, the text of the document is analysed to figure out the scope and key objectives of the ESDP; whereas the contextual analysis is employed

to understand in what context the ESDP was born; how it was made and why it was applied by the Member States although it was unbinding in nature. The operational analysis on the other hand looks at what sort of instruments the ESDP has utilized to realize its application in the member states.

Following this assessment, the thesis moves on to the fourth chapter where the planning system in Northern Cyprus is explored with a particular emphasis on the legislative structure searching for answers regarding why current planning system is under constant public criticism.

The fifth Chapter presents the findings of the critical evaluation of the Town Planning Law in line with the ESDP where some concrete findings are highlighted. This is followed by the conclusion where the findings of the textual, contextual and operational analysis are presented in need to understand how the Town Planning Law (55/89) can be restructured in the light of European spatial planning policy guidelines so that it can provide solutions to the current problems experienced.

Chapter 2

THE THEORETICAL BACKGROUND ON THE EUROPEAN SPATIAL PLANNING AND POLICY ANALYSIS

Before stepping into the discussions relating to the theory of urban policy analysis, the chapter introduces the reader with the discourse on European Spatial planning and explains how it has developed into a policy field of its own over a considerably short period of time. It is somehow an exhilarating experience to evidence this process through half a century's journey around a key target, a politically, socially and economically integrated Europe offering a better quality of life³ for its citizens.

The idea of an integrated Europe was perhaps a dream in 1951 when the European Coal and Steel Community (ECSC) was established to contribute to peace and cohesion in Europe and help towards the re-boosting of the economy following the Second World War. Over the years, the alliance of six countries - Belgium, France, Germany, Italy, Luxembourg and the Netherlands- expanded to a vast territory of twenty-seven states, the European Union, bringing together different

³ The term *quality of life* (QOL) references the general well-being of individuals and societies. The term is used in a wide range of contexts, including the fields of international development, healthcare, and politics. Quality of life should not be confused with the concept of standard of living, which is based primarily on income. Instead, standard indicators of the quality of life include not only wealth and employment, but also the built environment, physical and mental health, education, recreation and leisure time, and social belonging (Derek et al, 2009). It has come to materialization in 1960s with the Social Indicators Movement that aimed to question the relationship between the presumptions relating to economic and social well-being and social and individual well being (National Research Council, 2002, Oktay, 2010)

geographies and cultures under an umbrella of common goals. Needless to say, this was the result of systematic hard work carried out over more than half a century towards the acknowledgment of Europe by the world as the provider of democratic systems and institutions. Under one ultimate ambition, political and economic integration, European countries worked together to initiate cooperation and joint activities for creating new institutions, legal structures, models, standards, instruments; and building up interest to change existing practices and structures.

Consequently, there is now an area without any internal borders where people, goods, services and capital can move freely. This has naturally resulted in the conception of a competitive environment that has not only pushed the European cities, regions and/or nations to reconsider their current approach to urban planning and policy making for creating more liveable settlements but pushed the EU towards developing planning strategies for the enlarging territory of Europe without any frontiers. This was a process that entailed the acknowledgment of the significance of policies to address the specific issues of European cities and regions to deal not only with competitiveness but urban problems as well; such as struggling with urban sprawl and deteriorating neighbourhoods due to changing social structures such as demographic change and migration as well as bigger scale urban issues such as climate change and regional differences. In order to enhance cities economically and environmentally, central and local authorities tailored policies to promote city attractiveness and competitiveness for drawing investments and protecting the environment respectively.

Whilst tackling with such ambitious objectives that continuously need to transform due to continuing enlargements and changing agendas and priorities, there has been a necessity for evolving, dynamic, integrated urban policies as well as a

new urban planning approach so that sustainable development of the entire territory of the EU can be achieved. In need to accomplish this objective, a new field has emerged to guide European spatial development and respectively European territorial cooperation: The EU spatial planning and policy.

This emerging concept arose as a need to develop strategies for the evolving territory of the EU so that various sectoral policies with possible spatial impacts can be coordinated. Although the European Union has no competence over spatial planning due to the subsidiarity principle of the EU, the spatial policies that built up over the years have not only managed to initiate change in planning policies and practices of the member states but has drawn attention to the rising environmental issues as well as sectoral policies and their coordination with spatial policies so that a more sustainable Europe can be attained (Dühr, 2003).

The materialization of transnational planning as a novel spatial planning concept and the growing significance attributed to regional planning is also closely associated with this process.

Within this general perspective, what the EU required was by no means a master plan attained by the utilization of land-use regulations as it would threaten the sovereignty of the member states and therefore jeopardize the European project built over the years on economic and political integration. Instead, the EU has taken up a strategic planning approach that would help member states envision their territory within the entire Europe; enable them shift from regulatory to a communicative, participative and proactive planning where they can build partnerships to achieve better quality environments; develop long-term visions and implement them, as well as monitor and evaluate policies to achieve success in planning.

In line with this objective, the European Commission (1997, p.192) has carried out a research on the planning systems of member states in order to be able to categorize them under major groups. The findings of the research point out that there are actually four distinctive urban planning systems within the European countries. Accordingly, the regional economic planning system perceives spatial planning as a tool for achieving objectives in line with the boosting of economy and tackling with social problems arising from disparities in various regions of a country. This is a case where central government engages in a significant position to accomplish this target. France is an example to this approach (CEC, 1997). The comprehensive integrated system on the other hand involves a variety of plans at different levels. These are organized in a systematic manner, where plans at the secondary level do not oppose with planning decisions at an upper level. Examples to this approach are Netherlands and Denmark (CEC, 1997). Whilst in the Nordic countries, local authorities have a leading role, in federal systems such as Germany; the regional government holds a vital responsibility. The land use management approach, on the other hand views planning as a more technical discipline. An example to this is UK's 'town and country planning' where the target of regulation is to make sure that the development and growth are sustainable (CEC, 1997). The urbanism approach where the main concentration is on building regulations is mostly seen in the Mediterranean countries and is implemented through relatively inflexible zoning decisions and codes by means of an extensive range of set of rules (CEC, 1997). Whilst European states have their own planning cultures, there is a noticeable convergence toward European spatial planning in many of the member states (see Table 2.1.).

Initially put forward by the contribution of European states such as France and Netherlands with regulatory planning systems, the European spatial planning

idea does not actually diverge from the mainstream planning process in its structure which is comprised of plan making and development control (Adshead, 2002).

Table 2.1. The Major Planning Approaches in the European Union (CEC, 1997)

FOUR DISTINCTIVE URBAN PLANNING SYSTEMS WITHIN THE EUROPEAN COUNTRIES			
	POLICY TOOL	OBJECTIVES	COUNTRY
THE REGIONAL ECONOMIC PLANNING APPROACH	SPATIAL PLANNING	<ul style="list-style-type: none"> to pursue wide social and economic objectives, especially in relation to differences in economic and social conditions between various regions of the country Central government has a strong role 	FRANCE
THE COMPREHENSIVE INTEGRATED APPROACH	A SYSTEMATIC AND FORMAL HIERARCHY OF PLANS	<ul style="list-style-type: none"> organised in a system of framework control, where plans at lower levels must not contradict planning decisions at higher levels local authorities play a dominant role in federal systems the regional government possesses a very important responsibility 	DENMARK NETHERLANDS → THE NORDIC COUNTRIES → GERMANY
THE LAND USE MANAGEMENT APPROACH	PLANNING AS A MORE TECHNICAL DISCIPLINE	regulation is aiming to ensure that the development and growth are sustainable	UK
THE URBANISM APPROACH	RIGID ZONING AND CODES AND THROUGH A WIDE RANGE OF LAWS AND REGULATIONS	<ul style="list-style-type: none"> the key focus is on the architectural flavour lack of coordination informality high rates of urbanization 	MEDITERRANEAN COUNTRIES

On the contrary, the extensive cooperation this notion has initiated amongst planners across national and regional borders since its emergence has led to the the divergence or convergence of the planning systems towards European spatial planning (Nadin and Stead, 2006).

In summary, the European spatial planning system highlights the necessity for a long-term strategic and integrated approach to planning under evolving political agendas; it provides a framework for strategic guidelines and plans at different scales including trans-national, national, regional, city, and neighbourhood level as well as offering a route for the development control, judicial or administrative measures

operating at these various levels (www.mfk.unideb.hu). Consequently, the European spatial planning and policy may provide the necessary base for planning in and for Europe, where on a long term basis the convergence of planning systems in Europe under a common umbrella may be achieved.

2.1 The Emergence of European Spatial Planning as a Model of Strategic Planning

Due to its ambiguous, complex and evolving nature, urban planning is accepted as a difficult word to define. In conventional urban planning, there is reference to the planning of physical environment which is also named as land-use planning. When planning is viewed from a historical standpoint, it is possible to claim that master or blue print plans have played a key position in the planning systems of many nations. Although the land-use planning system has been prone to transformation and/or enhancement in some countries, there are still contexts that are predominantly managed by this conventional approach. Polat (2009) indicates that this model of planning is not only criticized for being too complex, officious, lengthy, static and discriminatory but for its outdated planning policies as well; and additionally for failing to promote public participation. In conventional urban planning approaches, there is usually criticism coming from stakeholders that they are excluded from the whole process. Besides this, it does not provide a basis for the involvement or integration of various sectors that actually influence planning. Unfortunately, the conventional urban planning approach structured to control land use through a statutory system does not bridge the gap between plan making, political decision making and implementation that today's market-oriented planning approach is seeking for.

A quick glance at the history of planning reveals that the conventional approach perceived planning as a professional activity where the plan was conceived as a spatial blueprint (Bracken, 1981). In line with the public health and housing reform acts of early twentieth century which emerged as a remedial measure to control undesired effects of the industrial city, physical statutory control appeared as a tool to guide planning in cities. According to Harvey (1973):

The conventional urban planning system with a blueprint and physical statutory control approach contributed very little to amenity in an overall sense, it rather rearranged the incidence, benefits and opportunities among the urban population, and that this redistribution has not been equitable (Bracken, 1981, p.13).

Over the years, these developing criticisms, in varying ways have brought about a questioning of the conventional assumptions underlying planning (Cullingworth and Orr, 1969). Fainstein (2005) claims that the publication of Karl Mannheim's *Man and Society in an Age of Reconstruction* in 1935 was an important step toward radical change which laid the philosophical foundations of the democratic planning process that enabled professionals to plan under the guidance of the public through their elected representatives.

Bracken (1981) on the other hand draws attention to changes experienced in 1960s where there was a clear shift from the purely land-use criteria for plan making towards the more broadly based set of economic and social criteria in strategic or structure plan making. Similarly, Healey (2003) points out that:

Since the 1960s, one observes a new sort of 'policy planning' in the UK where development plans, and especially the strategic 'structure' plans introduced in 1968, were no longer spatial blueprints. Instead, they had become statements of policy principles and regulatory norms to guide land and property development processes.

Correspondingly, American theoreticians were pointing out to a transformation from a mainly design profession to a social science where theorists at

the Universities of Chicago and Pennsylvania and their followers laid out the rational model and methods for testing policy alternatives (Sarbib, 1983). According to Fainstein (2005), this was a transfer of public input to the goal-setting process, after which experts would reach a decision using the tools of modern statistical and economic analysis.

This was followed by the social movements of the 1960s and 1970s (Fainstein and Fainstein, 1974, Castells 1977, 1983, Davidoff 1965, 2003) that directed critiques at both process and outcome. Although planners were responsible to elected officials -albeit indirectly-, critics accused them of being undemocratic by not consulting the people most directly affected by planning initiatives (Fainstein, 2005).

In the areas of highways, housing development, and urban renewal, opposition was not to general goals of urban and transportation improvement. Rather, it was to the particular impacts of public programs on affected communities; these communities needed to be involved in the specifics of planning if they were to exercise any real control. However, the theoretical model of democracy, by which the public made its wishes known through electing representatives and then withdrew from deliberations, crumbled in the face of the actual operation of planning bureaucracies (Fainstein and Fainstein 1982).

It was these arguments that gave rise to the notion of strategic planning, a system of ideas that stressed the significance of decentralization, transparency, and flexibility as well as a participative, communicative and a proactive turn in planning. Accordingly, it suggested that any policy should address the significance of sustainability for the future development of settlements and prevent it being affected by the fluctuations of the market forces. This is also stressed by Fainstein (2010) in her seminal work, *The Just City*, where she argues that despite the practical difficulties of implementation, and unjust outcomes experienced so far, there is need for a revitalized, cosmopolitan, just, and democratic city in this century. However,

the terms that define the *Just City* such as democracy, equity, diversity, growth, and sustainability can sometimes be problematic in that they all have undesirable potentials or risks (Fainstein, 2005). Accordingly,

Some societies consider the redistribution of wealth and therefore achieving equity through redistribution as an unjust act which creates resentment among those who must sacrifice, resulting in a lawful crisis and even civil war; whereas diversity can lead to social breakdown; and sustainability may diminish growth thereby producing unemployment and sacrificing desired consumption (Fainstein, 2005).

New urbanism approach on the other hand associates planning with modesty arguing that visionaries should not impose their views upon the public (Fainstein, 2005).

The visionary approach is also criticised by the ideological spectrum. The left for example has attacked planning for being bias on class (Harvey 1978, Gans 1968), for its anti-democratic character (Davidoff and Reiner 1962, Yiftachel 1998), and for its failure to take account of difference (Thomas 1996). The right sees planning as denying freedom (Hayek, 1944) and producing inefficiency (Anderson 1964) and regards markets as the appropriate allocators of urban space (Klosterman 1985). Centrists consider comprehensive planning naturally undemocratic and unattainable (Altshuler 1965) and see the modernists efforts to redesign cities as destructive of the urban fabric and unsympathetic to people's desires (Hall 2002, Jacobs 1961).

Yet, another approach, collaborative planning arose in the US in response to the inadequacy of traditional public participation techniques to provide real opportunities for the public to make decisions affecting their communities.

Collaborative planning is a method designed to empower stakeholders by raising them to the level of decision-makers through direct engagement and dialogue between stakeholders and public agencies, active involvement, and participation in the community planning process. Active public involvement can help planners achieve better outcomes by making them aware of the public's needs and preferences and by using local knowledge to inform projects (Innes et.al, 2000).

Healey (2003) describe this process as:

An attempt to break out of traditional hierarchical and 'bureaucratic' processes to involve new groupings and networks, new 'partnerships', including sometimes business or NGOs or community representatives or all

of these at once, focused increasing attention on both the nature of the processes that developed in these interactions and the biases that built up within them.

Collaborative planning has been adopted as a theoretical framework for analyzing redevelopment processes in large urban distressed areas in European cities. It is also known to have affected European cross-border policy programming, and local and regional development programming.

European spatial planning which stresses the importance of sustaining the cultural, architectural and biological diversity of member states whilst achieving a politically, economically and socially integrated Europe, advocates a lot of importance to sustainable development through the preservation of natural and cultural landscaped of the EU and collaborative planning as a tool to achieve this target. The last two decades have witnessed changing policies and practices to address more strategic approaches and agendas for cities, city-regions, and regions (Healey et al., 1997; CEC, 1997; Albrechts, 1999, 2004, 2006; Salet & Faludi, 2000; Albrechts et al., 2003, Polat, 2009).

A glance at the member states of the EU reveals the richness of institutional and cultural planning contexts they comprise. Having to accommodate so many planning cultures in its territory, the EU had to come up with a system that will help toward the convergence and Europeanization of planning systems. What is expected from planning as a broad and interdisciplinary field is to come up with an arrangement that can facilitate appropriate solutions for cities and towns to overcome problems; and that is how their success is evaluated. Wildawsky (1987) for instance draws attention to the difficulty of judging the achievement of any planning action. He indicates that if planning is to be judged by its results, then it is doomed to fail at

any context as acknowledging the reactions against a public policy is extremely difficult.

Today, what can be achieved through any planning system has become an extremely challenging subject due to the rising need to address sustainability, liveability and environmental issues which are continually evolving. This elaborate mission requires a strategic, integrated and collaborative approach to urban planning which means noteworthy modifications in policy and implementation at all levels (www.mfk.unideb.hu).

Knowing the difficulties embedded in planning, it is always wise to look at good practices that are continuously evolving in relation to changing agendas. A promising example is the constantly developing European Spatial planning system that comes forward as a model of strategic planning. Providing a ground for many planning systems, the EU had to come up with an umbrella concept that could accommodate all these diversities within its general structure. European spatial planning, a concept that flourished as a blend of German, Dutch and French planning systems exerted an influence on the organization of European space and territory that successfully transformed Europe into a composition of twenty-seven different states with a variety of geographies and cultures.

According to some researchers this process was also effective on planning traditions and cultures of member states starting from 1990s where an interactive or argumentative turn in planning was indicated. The starting point for this discussion was that planning was expected to be more of an interactive process rather than a technical procedure so that sustainable development can be achieved (Fischer, Forester 1993; Healey 1993, 1996; Sager 1994). As an emerging new field European spatial planning draws attention to the significance of strategy in the making and

implementation of policy within EU and member states in respect to changing social and economic issues experienced as a result of the integration process (Vasilevska, Calvaresi, 1997).

Although the statutory plan is still a key instrument in some of the member states, nonetheless, it does not serve the purpose of managing places. The reason why spatial planning is gaining rising importance is surely due to its underlying philosophy: managing urban development through strategy building. This was borrowed from the French planning approach where the idea was to bring into play a conceptualisation of territory in the form of future scenarios. *Aménagement du territoire* is accordingly about the delivery of a strategic spatial agenda for change (ec.europa.eu). Now that France has become a decentralised state where regions are collaborators, sharing the price and liability for regional development, there is no need for land use plans (ec.europa.eu). The Dutch like the French have always showed an interest in spatial planning issues. It was with their initiation in the late-1980s that a spatial agenda for the administration of the Structural Funds was launched (ec.europa.eu).

Salet & Faludi (2000), and Sartorio (2005) also underline the importance of strategy in planning and suggest that strategy should be integrated in two major components of planning; theory and practice. As far as theory is considered, long term visions regarding broad policy aims, and an action plan to implement them are required. When the planning practice is considered, the presence of one or more stakeholders who are involved in the general activity of planning is required in order to achieve conflicting goals.

Strategic planning is by no means an innovation; to the degree that the EU level is considered, there is a revival of interest in a strategic approach to organize

space at a variety of levels. In this process, spatial planning is perceived as a set of ideas, actions and instruments that must be adapted to available conditions at hand if enviable outcomes are to be achieved (Bryson & Roering, 1996, Albrechts, 2001). This comprises processing of spatial development at different scales - local, regional and increasingly at the transnational and cross-border level in order to create a more sustainable organization. This makes it a political as well as technical process (Nadin, 2000, www.ceu-ectp.org).

Vasilevska et al. (2009, p.21) argues that spatial planning comprises a territorial strategy of which achievement relies on sectoral co-ordination of various sectors with spatial policy impacts. According to the author, this planning model has regained impetus due to the growing awareness in environmental and cultural issues, but also due to the need for a more secure market so that negative consequences of undesired urban growth can be controlled and more liveable settlements can be sustained in the future. In order to achieve this ultimate goal, an integrated and strategic approach to planning becomes highly crucial.

When facts and figures of various bodies are considered, the adoption of such an approach surely becomes unavoidable. The World Bank for example forecasts that in 2025, 88 % of the World's total population will be positioned in rapidly rising urban areas (World Bank, 1996, www.mfk.unideb.hu). This is also applicable for three major cities of Northern Cyprus, Nicosia, Famagusta and Kyrenia of which the population has been rising steadily since the 1990s. Besides the population increase, the recent global economic crises that states have to tackle with is making planning a much more challenging field, drawing attention to strategic approaches once again.

Similarly, the European Union with an extensive territory of diverse geographies and cultures which share common problems deriving from on-going

urbanization trends as well as market-oriented economy has to develop its strategic approach to planning in order to come up with appropriate policies/strategies to challenge the problems of rapid transforming cities have to face.

This meant steadily developing a system of devices that can help toward the creation of a complex web of policies that reflect long-term strategies for the entire territory of Europe and the Member States of the Union. The making of the ESDP and Territorial Agenda in particular have influenced the development and practice of strategic spatial planning in the EU and the Member States respectively (www.jplc.org). Developed around three broad policy aims, the ESDP (1999) - neither a master nor a structure plan- has attempted to identify and/or shape the future settlement pattern and spatial structure of the territory of EU as well as guiding Member States to enter a phase of change (www.jplc.org).

The Territorial agenda (2007) then again is a document founded on the ESDP, but with new ideas integrated to it. In this document, it is recommended that the territorial dimension should be integrated into the strategic processes supporting the cohesion policy both at national and at EU levels. Although this is consistent with the ESDP guidelines, territorial instead of spatial have been used to refer to planning at EU level (Vasilevska et al., 2009).

These documents which are highlighting the significance of coordinating policies and actions, have now started influencing the organization and functioning of strategic spatial planning and planning practices in member states. However, this depends very much on the planning culture of the relevant context, its institutional and methodological framework as well as the existing political climate. Without the necessary political climate, the sustenance of spatial planning in that framework would not be possible.

In summary, what is now experienced at EU and member states level is a rising interest in strategic spatial planning and a re-emerging concept that draws attention to the importance of planning at different levels; planning for an integrated EU to minimize differences between regions and planning in the Member States to assist the convergence of diverse planning systems toward EU spatial planning. Being an efficient tool for contexts with diversity, strategic spatial planning will work differently for every framework when applied through a set of ideas, measures and tools that shall be discussed further in this thesis. However, in order to end up with desirable outcomes, policies should also be monitored and evaluated.

European spatial planning involves long-term strategic thinking about how to plan for a progressively transforming Europe, how to balance differences between regions; create a socially, economically and culturally integrated Europe; and surely make an impact on member states so that EU policy can gain recognition. European spatial planning has greatly been influenced by the changing political agendas that highlight environmental policy, socio-economic and cultural enhancement, as well as funding programs and key spatial policy guidelines such as the ESDP. The following section gives a brief account of the definition of the European Spatial Planning through the perspective of various planners, researchers working in the field.

2.1.1 The Discourse on European Spatial Planning

The map of Europe has changed significantly over the last three decades due to the enlargements that have been taking place since the early 1970s (Albrechts, 2006). It is indicated that today's European Union which comprises twenty-seven Member States is the success of the integration process, a method that involves a step by step progression after careful evaluation of the previous experience. Accordingly,

it is claimed that the achievement of European integration is based on common policies built by common institutions of the European Union (Moussis, 2006).

Unquestionably, the integration of Europe and policies applied within this context has led Europe toward a reterritorialisation process and interregional cooperation (Church and Reid, 1999; Keating, 2000) where the reorientation of planning became unavoidable (Tewdwr-Jones, 2001). This is also underlined by Dühr et al (2007) who stress the fact that planning theory and practice in various member states have been influenced from the need to react towards the global economic competition, international agreements and European integration, which necessitated the Europeanization of planning.

Accompanied by progressive changes at political and institutional contexts at the European member state and local levels of governance – including devolution and decentralization- profound changes have taken place regarding planning, how planning is viewed and what role it performs in the twenty-first century (Albrechts et al., 2001, Hamedinger, 2008). Newman and Thornley (1996) also draw upon changes that have occurred in the nature, definition and purpose of planning within different European member states, on different spatial scales (Macleod and Goodwin, 1999), often as an end result of the transformation of Western governance and its reaction to globalization (Jessop, 1997). Similarly Tewdwr-Jones (2001) also claims that what is known today as planning has little to do with the same activity that existed twenty years ago, not only in the European Union but also in different European countries (Schmidt, 2009). There is a complicated and on-going course of action regarding political and institutional reorganization at an urban and regional scale (Tewdwr-Jones and McNeill, 2000, Schmidt, 2009), forcing changes both within and outside Europe and member states (Eser and Konstadakopulos, 2000,

Schmidt, 2009). This is due to the demands and expectations of a number of organizations, stakeholders, public groups, individuals and governments that have made an impact on planning sectorally, territorially and politically. Along with these continuous demands on planning and its implementation, professional planners, academicians and governments have been obliged to adapt to these new demands, new knowledge and skills by reinterpreting planning (Schmidt, 2009).

European spatial planning today has asserted its place in the planning discourse as a means of the challenges raised by the continuously enlarging and evolving Europe. Now, a widely referred word, its meaning, aims and scope are put forward within the context of discussions depicted from the planners and academicians working in the field.

One of the first metaphors comes from the European Regional/Spatial Planning Charter, approved in 1983 by the European Conference of Ministers responsible for Regional Planning (CEMAT) which indicates that:

Regional/spatial planning gives geographical expression to the economic, social, cultural and ecological policies of society. It is at the same time a scientific discipline, an administrative technique and a policy developed as an interdisciplinary and comprehensive approach directed towards a balanced regional development and the physical organization of space according to an overall strategy (www.balticstudies.utu.fi).

Another significant publication, *European Union Spatial Policy and Planning* by Williams describes the term as; “planning the spatial or territorial location of activities and physical development at any or all spatial scales from that of the building scale to that of the regions, nations and Europe as a whole” (Williams, 1996, p.7).

According to this source, spatial planning embraces planning at various levels and scales including urban planning, regional planning, environmental planning, making of national spatial plans, and planning for the growing territory of the EU.

Yet, it also indicates that the term spatial planning is new and, forms an example of a Euro-English concept. Furthermore, it is stressed that such Euro-English concepts have developed during EU policy processes to let member state representatives communicate at the EU level, without having to concentrate on a specific national or regional system (Williams, 1996, p.7).

A decade later, Dubois & Gloersen (2006) describe spatial planning as; "a system of methods used by the public sector to influence the geographical distribution of people and activities, as well as the pattern of interaction between people and activities in different locations" (www.cms.uhi.ac.uk) .

Another source draw attention to the importance of various scales that these methods are applied which include the urban, regional, national and international levels (CEC, 1999).

In his research, Tewdwr-Jones (2004) defines spatial planning as

Wide ranging, visionary, integrative, deliverable and participative as it includes activities such as: urban and regional economic development; methods to balance population between urban and rural areas; the planning of transport and other communications infrastructures; the protection of biodiversity, natural resources, historical and cultural environments; the detailed regulation of the development and use of land and property; measures to co-ordinate the spatial impacts of other sectoral policies (CEC, 1997, p. 24, www.spatialnorth.org, Bishop et al, 2000).

Shaw and Sykes (2001) on the other hand, approach the concept by drawing attention to the differences between the conventional urban planning and spatial planning. Accordingly,

Spatial planning is a much wider concept than town and country planning and the difference between the town and country planning system and spatial planning system is the fact that the preceding one is restricted to the managing of the use of land (Bishop, et al, 2000).

Equally, Böhme (<http://www.spatialforesight.eu/>) argues that

Spatial planning does not necessarily correspond to ‘physical planning’, ‘land use planning’, ‘regional and urban planning’, but it rather indicates strategy building and is directly knotted with other sectoral policies.

Another definition comes from the UK’s planning authorities which suggest that

There is a deeper meaning to spatial planning than traditional land use planning. Accordingly, spatial planning aims to bring together and integrate policies for the development and use of land with other policies and programmes which influence the identity of places and how they function (www.planningportal.gov.uk, www.spatialnorth.org)

Although it is not easy to talk about a precise definition of spatial planning, and a common planning system for the European countries, the concept nevertheless challenges the planning approach, concentrating only on land-use planning; and helps the development of a novel approach towards transnational planning at EU level (www.commin.org).

When a further research is carried on the subject, it becomes apparent that the term ‘spatial planning’ is actually a terminology created by the EU Commission to gather together the rich connotations rooted in the concept of *aménagement du territoire* in France, *raumordnung* in Germany and town and country planning in Britain (CEC, 1997, p.23, Bannon, 2007) as major member states affecting the decision making process within the EU. In Germany for example, the spatial planning is mainly within the responsibility of land (federal state) planning authorities where the planning authority is accountable for reducing imbalances between the regions, and providing equivalent standards of living in all parts of the country, endorsement of sustainable development, and horizontal and vertical coordination of instruments with spatial influence (<http://www.raumplanung.uni-dortmund.de>).

The French term *aménagement du territoire* on the other hand is identified in France as spatial arrangement, i.e. as; "an act to make space more utilisable, which supports a more reasonable spatial distribution of economic activities subject to the availability of natural and human resources" (<http://www.raumplanung.uni-dortmund.de>).

In general European spatial planning is viewed as, "a hybrid model of spatial planning, which is grounded on broad aspects of German *Raumplanung*, French *aménagement du territoire*, as well as Dutch *ruimtelijke ordening*" (Faludi, 2004, eprints.nuim.ie).

However, the 'EU Compendium of spatial planning systems and policies', which at the time reviewed the systems of the 15 member states, emphasizes that European spatial planning does not exactly mean *aménagement du territoire*, *Raumordnung*, *ruimtelijke ordening* or town and country planning that portray the actions of member states towards managing spatial development in their regions (CEC, 1997, p.23, www.i4.auc.dkeprints.nuim.ie).

Moving on from this discussion, Böhme and Waterhout (2008) describes European spatial planning as a three-fold process incorporating (eprints.nuim.ie):

1. The emergence of 'planning for Europe' through the preparation of spatial planning policy documents such as ESDP and Territorial agenda and the institutionalisation of spatial development policy;
2. The influence of European spatial planning, on planning systems, policies and practices within the EU member states – 'planning in Europe';
3. The influence of European sectoral policies and European integration on 'planning in Europe' (see Figure 2.1.).

EUROPEANIZATION OF PLANNING

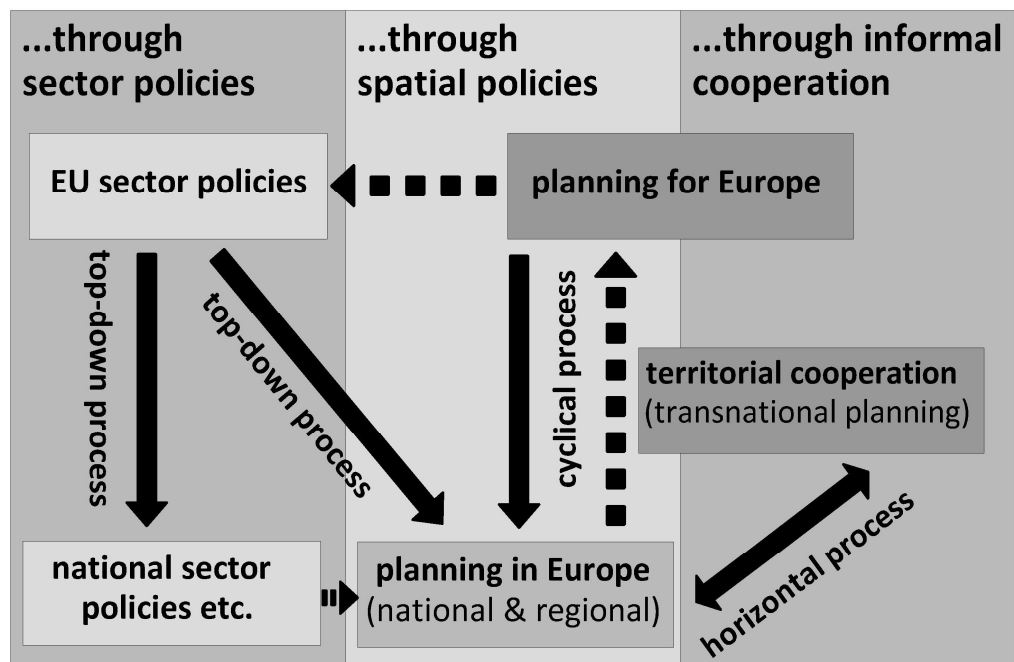


Figure 2.1. Europeanization of Planning (Böhme and Waterhout, 2008)

Moreover, spatial planning is built on the supposition that the organized activities and assets in different sectoral areas (education, transport, water management, etc) is expected to be more successful than uncoordinated programmes in the different sectors (ODPM, 2003, eprints.nuim.ie). That is exactly why several member states have started modifying their planning legislation. For example, in the UK the planning system the necessity arose to promote Regional Spatial Strategies in all English regions (www.ec.europa.eu). France introduced significant changes to its planning system by increasing the flexibility of regulatory plans through the introduction of strategic thinking. Similarly, the Netherlands introduced a national spatial plan which comprises a strategic approach to territorial issues. Sweden on the other hand attempted to give a new direction to its physical planning system (ec.europa.eu). One of their topics was how the European Spatial Development Perspective (ESDP) should be reflected in Swedish legislation (expert opinion of EU

working group on Spatial and Urban Development, 2003). Most recent research on the topic reveals that there are profound changes in the planning systems of Eastern European countries as well.

In summary, this process which is addressed as the Europeanization of planning involves making of emergent strategies and policies for the continuously expanding territory of Europe as well as the adoption of new planning systems, policies and practices within the EU and the member states considering the horizontal and vertical integration of all authorities and various sectors involved in planning (www.eprints.nuim.ie).

2.1.2 The Evolution of the European Spatial Planning Policy

It is not possible to find any direct reference to planning in the founding treaty of the European Economic Community, the Treaty of Rome⁴. Yet, transport was recognized to be a key sector if a common market were to be achieved; and this laid the basis for a common transport policy which is one of the sectors affecting locational decisions regarding large investments. There was also explicit reference to economic and social cohesion, and an agricultural policy (CAP) which opened the way for the establishment of European Investment Fund (EIF), European Social Fund (ESF) and European Agricultural Guidance and Guarantee Fund (EAGGF) that made funding available to improve agriculture and help regions in need (Williams, 1996).

As far as the regional policy is considered, although its basis can be traced back to the foundation of ECSC in 1952, it was not until 1974 that the ERDF was set

⁴ The Treaty of Rome (1957) known more often as the Treaty establishing the European Economic Community, laid down the initial provisions for the economic community, including the emergence of the internal market and the common agricultural policy, and the structure of the Community institutions.

up to help balance regional inequities in Europe. The later 1970s and early 1980s was a period during which many local and regional authorities in several countries were developing policies for urban economic development in order to benefit from European Regional Development Fund (ERDF). The early 1980s was coupled with the accession of Greece, and accession negotiations of Portugal and Spain, leading to the introduction of Integrated Mediterranean Programmes (IMPs) in 1985.

There is no direct reference to environmental issues until the release of the first EAP in 1973 that paved the way for an environmental policy which exerts an influence on spatial development through the requirement of Environmental Impact Assessments (EIAs) under the Directive 85/337, the Strategic Environmental Assessment (2001/42), Special Protection Areas and Special Areas for Conservation under the Birds and Habitats Directives (Faludi and Waterhout, 2002). Environmental policy was presented in the form of successive action programs, and the second action programme from 1977-81 focused on land use planning which it identified as a policy mechanism by which environmental objectives could be achieved (Macrory, 1983; Haigh, 1989). The environmental assessment directive of 1985 was a product of this focus.

Another spatial measure of an environmental nature was the introduction of the concept of environmentally sensitive areas under regulation 797/85 in 1985. This regulation was part of the agricultural policy. Although a body of spatial policy was beginning to be built up, it was not until the 1980s that the first documents regarding spatial planning were prepared.

It was CEMAT which produced the first document on spatial planning called the European Regional/Spatial Planning Charter in 1983. The basic planning principles were identified as: balanced socio-economic development; quality of life;

prudent use of natural resources and sound exploitation of land. Apart from this, the Charter emphasized the citizens' right to take part, whilst drawing attention to the importance of horizontal and vertical coordination.

Meanwhile, the European Parliament (EP), too, had carried on its lobbying actions for planning. EP's Committee on Regional Policy and Planning prepared a report on the European Regional Planning Scheme in 1983 called the Gendebien report. This report invited the Commission to execute a political determination for an overall European regional planning policy which will effectively help deal with the territory of Europe as a common space (repository.tudelft.nl). For this purpose, it is essential to aim for a balanced and integrated regional development; a coordinated approach to the management of Community instruments; and a proactive policy to assure the conservation of the European heritage (ec.europa.eu).

The Benelux Economic Union was also sympathetic to spatial planning issues which inspired them to publish the Structural Outline Sketch in 1986. These efforts were followed by the French-Dutch initiative to come to an agreement at Lausanne around a common goal: To give a spatial aspect to Community policies through the utilization of strategic planning tools. Along these lines, the French persuaded the Commission to formulate the first planning document concerning the EU12. This was the Europe 2000 report, soon to be followed by Europe 2000+ (ec.europa.eu).

The early 1990s saw two important developments of significant influence for future direction of EU: German reunification and Maastricht treaty. In two or three years prior to the Maastricht summit in 1991, the French presidency organized the first of the informal conferences of ministers responsible for spatial planning. These meetings led to the emergence of a draft report on the EU's approach to spatial planning and the context for EU spatial policy by the European Commission (Bishop

et al, 2000). Due to the initiatives of the European Commission, a green paper on the urban environment was published in 1990, to attract the interest of the Council of Ministers and the European Parliament to urban problems of Europe. This paper addressed the problems of European Cities in general, and aimed at initiating a debate on rethinking current models of organization and urban development (CEC, 1990). In order to take forward the core ideas of the Green paper on the urban environment, an expert group was set up in 1991. This was reflected on the Maastricht Treaty⁵ through the inclusion of an article (130s (2)) that contained direct reference to ‘town and country planning’ and ‘land use’ (Bishop et.al., 2000).

EC published another report in 1991, Europe 2000: Outlook for the Development of the Community’s Territory (CEC, 1991). This was followed by Europe 2000+: Cooperation for European Territorial Development (CEC, 1994), which initiated further dialogue on an integrated spatial planning framework for Europe (Bishop et al, 2000). Nadin & Shaw (1997) accepts the publication of Europe 2000 and the establishment of the European Commission’s Committee on Spatial Development as a key turn in the development of the European spatial planning. In contrast to previous periods, when planning was influenced indirectly through the development of European Commission policy in other sectors (i.e the environment), the last decade has been marked by a new awareness in spatial planning (Bishop et. al., 2000). Through its actions, the European Commission was drawing attention to the variation of expressions used across the EU to describe the particular combinations of government activities designed to influence the use of space (Nadin

⁵ The Maastricht Treaty (1992) introduced the notion of the European Union and the Three Pillars of the Union, the economic pillar, the Treaty establishing the European Community, the second pillar, the common foreign and security policy, developed from the provisions introduced by the Single European Act, and the third pillar, judicial and home affairs. The most important aspects of the Treaty establishing the European Community were the introduction of the Single Currency and the social provisions. In addition, the voting process for co-decision was introduced. (www.eurotreaties.com).

et al., 1998, Bishop et. al., 2000). In order to accommodate this diversity, the Commission has employed the phrase ‘spatial planning’ as a neutral umbrella term which embraces all the varying national approaches to managing spatial development but does not equate precisely to any one of them.

This was the threshold where the ministers responsible for spatial planning took the decision to develop the European Spatial Development Perspective (ESDP) in 1993. The final version of the report came out in spring 1999 (Committee on Spatial Development/CEC, 1999).

The Guiding Principles for Sustainable Spatial Development of the European Continent by CEMAT published in 2000 created a positive impact and managed to trigger interest in territorial issues in CEMAT countries, in particular those outside the EU15 (Böhme, <http://www.spatialforesight.eu>, www.commin.org). This has later paved the way for the materialization of the Territorial State and Perspectives of the EU, and the Territorial Agenda of the EU respectively. Although the Territorial Agenda has still not asserted itself, its mere existence suggests that the impetus of European spatial planning has been preserved from the start of the ESDP. The fact that these documents were developed on the outcomes of their earlier precedent (see Table 2.2. and 2.3.) make them closely associated policy guidelines, the ESDP being the most detailed.

Although all of the documents expressed above are as worthy; and helped towards the delivery of the European Spatial Development Perspective (ESDP), it is nonetheless with the emergence of the ESDP that a new planning approach has been initiated at the European level. Yet, the importance associated to it comes from the fact that it is not solely the product of the EC or any other European institution but is the outcome of the member states who are the major stakeholder likely to be affected

by the application of the document. Its strength lies in the structure of its working committee, meaning that a greater sense of ownership is attached to it by the member state governments and this is why it gained more respect and popularity over the years. Its definition, aims and scope are examined further in the section to follow.

Table 2.2. Development of Spatial Planning in History
(adapted from Böhme, <http://www.spatialforesight.eu>)

DEVELOPMENT OF SPATIAL PLANNING IN HISTORY	
YEAR	MILESTONE
1983	European Regional Planning Charter (Torremolinos Charter) published by Council of Europe Ministers Responsible for Regional/Spatial Planning (CEMAT) This is the first major statement on European spatial planning where the definition and aims of spatial planning has been presented.
1986-1996	Jacques Delors Presidency of the European Commission drew attention to European integration which stressed the importance of a balanced relationship between market, state and society for economic growth. This was later termed as ‘European model of society’.
1991	Europe 2000 The publication Europe 2000 by the European Commission (EC) highlighted the significance of the territorial development.
1992	Treaty on European Union (Maastricht Treaty) strengthened dedication to principle of cohesion along with economic competitiveness and environmental sustainability which put more importance on subsidiarity principle.
1994	Europe 2000+ The publication of Europe 2000+ by the EC highlighted some priority areas for future policy including urban sprawl, rural areas in transition, areas of environmental importance and regeneration of poor neighbourhoods.
1994	VASAB The arrangement of the Visions and Strategies around the Baltic Sea as trans-national spatial development perspective has stimulated the development of trans-national INTERREG cooperations and strategies in Europe.
1994	Leipzig Principles The ministers responsible for spatial planning in the (back than 12) EU Member states agreed at an informal meeting in Leipzig on the basic principles of the ESDP.
1996	INTERREG IIC With the establishment of INTERREG IIC trans-national cooperation and spatial planning issues become an official field and instrument in the EU. This is later continued as INTERREG IIB (2000-2006) and under Structural Funds Objective 3 “Territorial Cooperation” (2007-2013).

Table 2.2. Development of Spatial Planning in History (continues)

DEVELOPMENT OF SPATIAL PLANNING IN HISTORY	
YEAR	MILESTONE
1997	Amsterdam Treaty Introduced the notion of ‘territorial cohesion’ and accepted sustainable development as a key objective of the EU.
1997	European Spatial Planning Compendium The EC published a compendium on European spatial planning systems providing an outline on the different approaches to spatial planning within the EU.
1998	Study Programme on European Spatial Planning (SPESP) In cooperation with the EU Member states the EC set up the SPESP as a research network to support European territorial policies between 1998 and 1999.
1999	European Spatial Development Perspective (ESDP) Adopted as a means of the intergovernmental cooperation in between 1989-1999
2000	CEMAT Guiding Principles for Sustainable Spatial Development of the European Continent Published by CoE Ministers Responsible for Regional/Spatial Planning (CEMAT). Its extent is wider than the ESDP, and includes a wider range of European countries
2000	INTERREG IIIB The trans-national cooperation scheme INTERREG IIC is continued and further developed as INTERREG IIIB.
2000	Lisbon Agenda It signifies a move in EU policy focus to global competitiveness following concerns regarding the weak economic position of the EU in relation to the US and Asian economies.
2001	Gothenburg Agenda It stresses the importance of sustainable development and climate change mitigation and adaptation, also supported by publication of EU Sustainable Development Strategy, with strong emphasis on policy integration, balanced regional development and improved land-use management.
2001	Second Cohesion Report Published by the EC, the Second Cohesion Report stresses the importance of “Unity, solidarity, diversity for Europe, its people and its territory” and includes a series of territorial features and SPESP results.
2002	ESPON Following up on the SPESP experience, the European Spatial Planning Observation Network (ESPON) is established to provide territorial evidence for European policy-making covering 29 countries and after 2007 including 31.
2004	Proposal for EU Constitutional Treaty The debated draft constitutional treaty for the EU has been presented and included among social and economic cohesion also territorial cohesion as an aim for the European Union.

Table 2.2. Development of Spatial Planning in History (continues)

DEVELOPMENT OF SPATIAL PLANNING IN HISTORY	
YEAR	MILESTONE
2004	Third Cohesion Report The EC published the Third Cohesion Report “A new partnership for cohesion. Convergence, competitiveness and cooperation” again including a series of territorial features and ESPON results.
2007	Structural Funds Objective 3 The territorial cooperation has been integrated into the mainstream Structural Funds system. INTERREG is continued under Objective 3 “Territorial Cooperation” (2007-2013).
2007	Fourth Cohesion Report the Fourth Cohesion Report highlights the theme “Growing regions, growing Europe” and includes a series of territorial features and ESPON results.
2007	Territorial Agenda and Territorial State and Perspectives At an informal meeting in Leipzig the ministers responsible for spatial development agreed on the “Territorial Agenda of the EU” and the background evidence document “Territorial State and Perspectives of the EU”.
2008	Paper entitled <i>Territorial Cohesion: Turning Diversity into Strength</i> Published by the EC, this document discusses precise meaning and specific objectives of Territorial Cohesion policy.
2009	The Lisbon Treaty It underlines the economic, social and territorial cohesion as major goals of the EU.
2011	Territorial Agenda of the European Union 2020 Territorial Agenda and Territorial State and perspectives was reviewed under the Hungarian Presidency in 2011

Table 2.3. Development of Spatial Planning Policies in line with the EU Treaties

<p><i>TREATY OF ROME (1957)</i></p> <ul style="list-style-type: none"> • Set up the EEC & EURATOM and extended European integration to include general economic cooperation • Recognized transport & agriculture & environment as a policy field <p><i>European Social Fund (ESF) - 1957</i></p> <p><i>European Investment Fund (EIF) -1958</i></p> <p><i>European Agriculture Guidance & Guarantee Fund (EAGGF) - 1962</i></p> <ul style="list-style-type: none"> • helped improve agriculture & regions in need <p><i>European Regional Development Fund (1974)</i></p> <p><i>TREATY ON EUROPEAN UNION</i> <i>Maastricht Treaty (1992)</i></p> <ul style="list-style-type: none"> • Established the EU and introduced the co-decision procedure <p><i>INTERREG II C (1996)</i></p> <ul style="list-style-type: none"> • made spatial planning issues an official field and instrument in the EU <p><i>TREATY OF AMSTERDAM (1997)</i></p> <ul style="list-style-type: none"> • To reform the EU institutions in preparation for the arrival of future member states • More transparent decision making <p><i>INTERREG III B (2000)</i></p> <p><i>TREATY OF NICE (2001)</i></p> <ul style="list-style-type: none"> • To reform the institutions so that EU could function effectively after reading 25 member states <p><i>TREATY OF LISBON (2007)</i></p> <ul style="list-style-type: none"> • To make the EU more dense more efficient and better able to express global problems, such as climate change with one voice 	<p><i>1st Environmental Action Programme (1975)</i></p> <p><i>2nd Environmental Action Programme (1977-81)</i> <i>(focused on land use planning)</i></p> <p><i>European Regional Planning Chapter (1983) CEMAT</i></p> <p><i>Environmental Impact Assessment (EIA) (1985)</i></p> <p><i>Regulations relating to environmentally sensitive areas (1985)</i></p> <p><i>Integrated Mediterranean Programmes (IMPS) (1985)</i></p> <p><i>Gendebien Report (1983)</i></p> <p><i>Structural Outline Sketch (Benelux Economic Union, 1986)</i></p> <p><i>Committee on Spatial Development (1991)</i></p> <p><i>Green Paper on Urban Environment (1990)</i></p> <p><i>Europe 2000 (1991)</i></p> <p><i>Europe 2000+ (1994)</i></p> <p><i>European Spatial Planning Compendium (1997)</i></p> <p><i>ESDP (1999)</i></p> <p><i>Guiding Principles for Sustainable Spatial Development of the European Continent</i></p> <p><i>ESPON (2002)</i></p> <p><i>Territorial Agenda and Territorial State and Perspectives (2007)</i></p> <p><i>Territorial Agenda of the European Union (2010)</i></p>
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2.2 An Overview of the European Spatial Development Perspective

A considerable amount of research on the ESDP indicates that it is the first EU level document which initiated a discourse on the topic of spatial planning both within the EU and Member States. Needless to say, the European Spatial Development Perspective, Towards Balanced and Sustainable Development of the Territory of the EU (ESDP) published in 1999 had formed an important EU wide spatial framework for the development of the EU. This document suggests that unless a strategic and synchronized approach to cross-sectoral policies is developed, it will not be possible to avoid potential conflicts arising from the delivery of national policy at a local level (Bowman, 2006). The intention of the ESDP was to impose a common vision and planning coordination in order to implement political, economic and social objectives of the EU in the member states.

Undoubtedly, the importance associated to the document by the member states was the result of the EU funding programmes that made the objectives of the ESDP its core principles. The key intentions of the document such as economic and social cohesion; conservation and management of resources and more balanced competitiveness of the EU were aligned in harmony with the major political objectives the EU.

Grounded on some novel approaches of the Europe 2000: Outlook for the development of the Community's territory (EC, 1991), and Europe 2000+: Cooperation for European territorial development prepared by the EC in 1991 and 1994 respectively, the ESDP paved the way for the Territorial State and Perspectives of the EU, and then the Territorial Agenda of the EU, the most current EU planning document that is grounded on the objectives of the ESDP. Created by its major beneficiaries, through the intergovernmental cooperation of planning officials from the member states and the European Commission (EC), the document proposes structuring European spatial planning around major sectoral initiatives whose territorial impact would extend beyond national frontiers: transport, competition, telecommunications, agriculture and the environment. The document recommends ways of achieving this goal, by stressing the importance of planning at various levels and scales such as transnational, national, regional, local and cross-border. It highlights cooperation between all levels (vertical integration) and all sectors (horizontal integration) with spatial impacts.

It underlines cultural variety as the strongest asset of the EU and argues that spatial development policies should not standardize local and regional identities. It foresees economic integration both as a threat and opportunity and stresses the importance of its existence as a tool to reduce regional imbalances.

After a long period of discussions (1993 to 1999) by the member states and the EC, the ESDP was adopted in 1999 as a non-binding document, enforcing no obligation on the member states to apply it. It comprises the general principles as follows;

- Growth of a balanced and polycentric urban system and a new urban-rural connection
- securing uniformity of access to infrastructure and knowledge
- Sustainable and wise management and the protection of natural and cultural heritage of the EU (EC, 1999).

In order to sustain its continuity, EC has established ESPON, a research network carrying out technical work and preparing periodic reviews for the ESDP (Faludi and Waterhout, 2002, p.166). Since its foundation, ESPON has collected data on a wide range of planning issues and carried out research projects to help the development of European spatial planning idea.

The ESDP, being a widely referred document due to the existence of territorial cohesion as a shared competency in the Treaty of Lisbon, the document has been detailed further to form the *Territorial Agenda* in 2007 (Ravolin, 2005). It was ESPON which has produced invaluable new knowledge about the territorial state and development perspectives of the European Union such as the *Territorial Agenda*; the document *The Territorial State and Perspectives of the European Union* in the last decade (Greiving, S., et. al , 2008).

Moreover, the ESDP adopted the Tampere ESDP Action Programme (TEAP) in 1999, in order to translate its policy aims into examples of good practice at trans-national and European level as well as national and regional level (ESPON, 2006, p.87).

Another important feature of the ESDP is the development of the idea of Territorial Impact Assessment (TIA), which provides an evidence base for what the impacts of particular policies have been and therefore provides a more rational basis for shaping future policy developments (ESPON, 2006, p.58).

In the appendices, a more detailed summary of the ESDP can be found where the abstract here is discussed in more depth. The next section to follow examines how influential the ESDP has been in the restructuring of planning laws of member states.

2.3 The Impact of the ESDP on the Planning Legislation of the EU

Member States

The ESDP is likely to have profound consequences for the lives of the 300 million of people of the EU and many others soon to join it....it is already shaping the process of land-use planning at every level from national to local. In the future its influence can only grow.

This is quoted from the book entitled *The Making of the European Spatial Development Perspective-No Masterplan* (Faludi and Waterhout, 2002) which praises the said document by highlighting the fact that it has become a noteworthy resource for all the planners, and students interested in policy-making in the EU. Being put together by the intergovernmental cooperation of 15 Member States in line with consultations and collaboration of the European Commission, the ESDP is actually grounded on an amalgamation of planning perspectives of these countries, yet in particular of three countries Netherlands, France and Germany.

Faludi and Waterhout (2002, p.1) point out that the creators of the ESDP have never aimed for a masterplan but rather a framework and a source of inspiration that can guide planning in the EU, in other words create some form of European spatial planning to help coordinate European spatial policies with spatial impacts. Although

the European Commission wanted planning become a competency of the European Union, nonetheless, the Member States were reluctant to formally transfer their powers to regulate land-use in the EU. That is why land-use regulation never became the principal purpose of European spatial planning (Faludi and Waterhout, 2002, p.26). On the contrary, there has always been a continuous effort to look at spatial planning as strategic planning. Under this goal, the main target of the ESDP makers was to develop solutions towards common problems faced: create a common ground for the convergence of various planning systems in the EU without making spatial planning a Community concern.

The ESDP which was born out of painstaking debates in between the member states and the European Commission is actually a reflection of spatial planning traditions and the institutional set ups of the relevant actors, France, the Netherlands and Germany primarily and other 12 member states who contributed at the time of its making (Faludi, 2004). However, it is the motivation of national planners in France, the Netherlands, Germany and the Directorate-General of the European Commission responsible for regional policy that made the ESDP a reality. The Dutch Presidency for example was quite influential on the formation of the ESDP as it was them who presented the idea of setting up a Committee on Spatial Development in 1991; and introduced the first draft of the ESDP in 1997 which later led to European wide discussions (CEC, 1999).

As a non-binding document, the ESDP, which specifies guidelines for the spatial planning of the EU and the Member States clarifies its intention with these words: “the Member States may take into account the policy aims and options of the ESDP in their national spatial planning systems”, albeit “in the way they see fit” (CEC, 1999, p. 44). Being supported with an action plan and necessary financial

tools, the ESDP made sure that its key principles were followed by the member states as a result of the opportunities presented by the Community Initiatives of the EU. Although spatial planning has never become a function of the European Community, the ESDP has nonetheless exerted an influence on the planning legislation, discourse, approaches and administrative structures of the Member States.

Consequently, the ESDP has not only been inspirational to other spatial policy documents to follow yet helped towards the materialization of the European spatial planning approach in the EU by opening a new path for planning practices in the member states. Owing to the strategic position it played in the guidance of funding programmes, the ESDP has steadily exerted an influence on planning discourses and practices, institutional organizations and planning policies of a number of member states.

This statement is also verified by the research carried out by ESPON in 2006 that looked at the application of the ESDP in the 29 European States. The research carried out by ESPON (2006), "Application and Effects of the ESDP in Member States", indicates that the emergence of the ESDP document in 1999 initiated a reformation process in national planning practices and policies of the various Member States (www.espon.lu). It is implied that the new spatial planning system of Greece (2000), the new national plans of Portugal and Spain (2000), spatial development strategy of Slovakia (2001) and ICZM plan for Latvia and Lithuania for example were directly influenced by the ESDP. Indisputably, the rationale behind the popularity and success of this document in the member states came from the political importance associated to it. As a policy document, its target was to make sure that European issues with high political significance were fully addressed in national planning approaches of the member states.

Besides promoting cooperation between all sectors and administrative levels from local to national, the ESDP has also played a significant role and impact on the programming and implementation of the Structural Funds (Green Cowles *et al.* (2001, www.hks.harvard.edu). Surely over time, financial support programmes such as the European Regional Development Fund and/or Structural Funds broadened the growing influence of the EU; and created pressure on relevant actors and institutions to (re)shape their individual and institutional interests which ended up with the reinforcement of authorities at local and regional level (Hooghe and Marks 2001; Hooghe 1996; Marks *et al.* 1996; Jones and Keating 1995, www.hks.harvard.edu). Nonetheless, these effects show a discrepancy in impact between states, where several national governments remain ‘gate-keepers’ between supranational and sub-national authorities due to their leading role in the EU (Bache, 1998; Börzel 2002, 1999; Jeffery 1997; Benz and Eberlein 1999, www.hks.harvard.edu).

Whilst major European Member States such as Netherlands, and France have been very influential in the making of the ESDP, and therefore already conformed with the principles of the document, for other member states such as Slovenia, Hungary, Latvia, Bulgaria, Lithuania and Cyprus for example which have not participated actively in the preparation process of the ESDP, the impact of the EU spatial planning discourse on national policies seems larger in extent.

The research indicates that whilst some countries such as UK and Bulgaria had concrete changes in their planning policy, in countries such as Finland, Germany, Hungary, Italy, Latvia, Netherlands and Portugal awareness of the ESDP led to the establishment of new agencies and legislation. In the case of UK for example where the roots of planning traditions of Cyprus is associated with, although the ESDP was not directly influential, it is observed that planning legislation became

more vulnerable to the changes led by the European integration and global trends especially after 2000s (<http://www.coe.int>).

There was also a noticeable change in discourses that triggered a shift in attitudes of the policy makers and practitioners. These include Austria, Belgium, Czech Republic, Denmark France, Greece, Ireland, Lithuania, Luxembourg, Malta, Slovenia, Spain and Sweden. Yet, most of these countries report that there were changes in the planning policies followed by the shifts in the planning discourse (ESPON, 2006, p. 141). Although the degree of influence of the ESDP varied from one country to the other, the research report indicates that the references to the ESDP were more numerous around the date of its official delivery between 1997 and 1999.

For example, in Luxembourg, the ESDP was taken as a guideline in the formation of the new spatial planning law. Similarly, Denmark showed a lot of interest in the ESDP during 1990s when the document was emerging such that references to the ESDP on national planning remained in the first national planning report issued in 2000 (ESPON, 2006, p.144). When the new member states such as the Czech Republic, Hungary and Slovenia are considered, it is indicated that the ESDP exerted a direct influence on the spatial planning systems of these countries starting from 1999. Although these countries did not take part in the drafting process of the document, they were influenced at a later stage (ESPON. 2006, p.144). However, there are countries like Estonia and Malta which point out that ESDP ideas did not have any impact on their planning systems. In Cyprus (Southern Cyprus), due to the harmonization process the approach to spatial planning was found closer to the ESDP (ESPON, 2006, p.145).

In summary, the European Spatial Development Perspective (ESDP) is certainly regarded as a significant document that initiated spatial thinking initially at

European and later at member states level. After a decade of its emergence, the ESDP is still considered the first and so far main point of reference. Although changes in the planning legislation cannot be all grounded on the ESDP, it should nevertheless be accepted that it has been an influential document as it was born as a reaction towards the problems faced in the member states, yet never had the intention of becoming a Masterplan for the territory of the EU.

It will be valuable to look deeper into a few of the examples discussed above so that the level of conformity between the ESDP key principles and the Town Planning Laws can be judged. The study focuses on Netherlands and Slovenia as its case studies. The rationale behind the selection of the Netherlands is surely the fact that it was the key player in the making of the ESDP. Its selection was of course intentional as its planning system was already in conformity with European spatial planning. No doubt that understanding the planning policies of the Netherlands will help grasp the ideology behind the European spatial planning system.

Slovenia, on the other hand is one of the Eastern European states joining the EU in the last enlargement of 2004; and therefore stands out as an interesting example of Eastern European countries which after years of isolation has claimed independence in 1990 in succession with the disintegration of Eastern Europe. The general research on the topic shows that there is a continuous effort in many of these countries to move towards European norms and standard in their planning policies. Accordingly, it can be argued that in the case of Slovenia, there is a high degree of conformity to the ESDP guidelines although reforms relating to the planning legislation have only started in early 1990s when the ESDP was in conception.

The first of the case studies, the Netherlands, which advocates great significance to change over time, was one of the key initiators of the European

spatial planning concept. In order to act as a role model for the EU member states, it has enacted the new Spatial Planning Act in 2008 with fewer rules, a less centralized control mechanism, and an implementation-oriented approach. Similar to the former example, the Dutch spatial planning system involves the state, the provinces and the municipalities in planning as the main actors. The relationships between the different levels are guided by the principle of subsidiarity (www.coe.int).

Policy coordination is mainly realized by consultation. In the new Spatial Planning Act from 2008, approval of local land use plans by the province is no longer required; the idea being that coordination should rest on mutual consultation. If necessary, higher levels can take precedence over lower levels in order to protect the implementation of their policies. If their interests are at risk, both state and province can make up local land use plans. In addition, the state can issue general rules regarding the spatial policies of provinces and municipalities and can also issue a directive; the same holds true for the province in relation to the municipalities.

Netherlands' general policy framework for spatial development is based on openness, inclusion of all relevant fields, and participation and organization of stakeholders; leading to the idea of 'centralized where necessary and rather decentralized where possible' (Hajer and Zonnaveld, 2000). The planning is grounded on coming to an agreement by exchange of knowledge, team works and constructive dialogues among all relevant actors within government, all non governmental agencies, private sector and public involvement at the national level and within the EU at the international arena.

As far as the case of Slovenia is concerned, the research on the topic reveals that its planning legislation went through a major transformation after the country gained her independence in 1990 along the same period when the ESDP was in

conception. Although the state is responsible for preparing laws, policies, and other instruments, there is also responsibility delegated to regional and local authorities in condition that they follow the national legislative procedures (www.coe.int). Although local authorities have the right to plan and manage their territories, the state has the power to monitor spatial planning at lower levels. In case they fail to perform their tasks in the area of spatial planning and management, the state has the right – in special cases – to take action against them (www.coe.int). In decision-making procedures, local authorities are responsible for the direct participation of all the involved and interested parties.

The Spatial Planning Act of Slovenia defines what sort of documents should exist at national, regional and municipal levels, and sets out implementation measures including land consolidation and urban renewal. In addition to national and local levels, the Spatial Planning Act also recognizes the importance of planning at regional level. The Act controls spatial planning activities and the enforcement of implementation measures; ensures sustainable use of land, and the continuation of the spatial data system.

It is complemented by the also revised Construction Act, which now defines, the methods and procedures for obtaining building permits. However, there are also two other important legislation that helped construct a new spatial planning system in Slovenia, the Spatial Management Policy of the Republic of Slovenia, and the Assessment of Spatial Development in Slovenia.

The Spatial Management Policy of the Republic of Slovenia is a document promoting sustainable and prudent development of land which highlights the fundamental ethics and goals of spatial planning and management. The Assessment of Spatial Development in Slovenia includes an account and evaluation of the major

qualities of Slovenian space, and factors controlling the development of spatial planning system.

On the topic of public participation, the Spatial Planning Act of Slovenia highlights the importance of everyone having the right to participate through initiatives and opinions in the matters of spatial planning and management and hold the right to be informed on plans and programmes pertaining to spatial planning and management.

Although the Ministry of the Environment, Spatial Planning and Energy is liable for the delivery of the Spatial Development Strategy or Spatial Order, other ministries may also put forward their views towards the delivery of the Spatial Development Strategy of Slovenia or the Spatial Order of Slovenia which are documents of national importance.

In conclusion, it seems very clear that there is conformity with the ESDP principles especially in the importance delegated to planning at various levels. There is a well mapped out programme for municipalities as well as preparing plans at regional level. Although the highest responsible level is the state, there are responsibilities given to local level within the supervision of the state. There is special importance associated to the inclusion of rules regarding problems faced such as the need for urban renewal and consolidation measures. The Act also enforces the implementation of its rules pertaining to spatial planning and management through certain measures as well as including evaluation and monitoring tools for the policies it puts forth.

In summary, it can be argued that the planning legislation of the Netherlands conforms to the ESDP and general principles of European spatial planning and policies. Yet, the latter example seems to be influenced more from the ESDP due to

not getting actively involved in the preparation of the ESDP. In both cases there are lessons to be drawn for the case of the thesis, the Town Planning Law of Northern Cyprus.

However, without a thorough understanding of the urban policy analysis it will not be possible to construct a framework for the evaluation of the European spatial planning policy, the ESDP. Therefore, the aim of the next section is to review these approaches in the light of the major theoretical discussions.

2.4 An Overview of the Existing Theoretical Approaches to Urban Policy Making and Analysis

Due to the degree and complexity of policy making in the general field of planning, there are limited theories regarding how planning policy should be analysed (Bracken, 1981, p.232-233). This is in some ways related to the nature of planning. Planning which is generally described as the setting out of a strategy by which some desired goals can be achieved regarding now and the future, is an act that involves the formulation of wide and long-ranging forecasts of future trends and a system of co-ordinated policies to achieve ideals, clarified in advance as definite goals (Myrdal, 1968, p.251-252). However, future includes uncertainties and societies have certain prejudices against planning due to them being the major targets of this act. In his books *Inventing the Future* and *Open Ended Planning*, Gabor (1963, 1969) establishes a connection between societies that the policies are designed for and the overall success of policies implemented. Correspondingly, Myrdal (1968) also underlines the significance of societal choice involved in planning, yet more importantly states that societies' choice entails political activity. Therefore, it is the political will of societies as well as governments that stand as a challenge for

the success of any planning activity. Therefore, it may be argued that the reason behind the success of European Spatial Planning Policies is the strong political motivation of the EU, wanting to achieve a balanced and sustainable spatial development for an integrated Europe. Similarly, before setting its objectives, the ESDP puts forward the key political purpose behind its actual delivery.

According to Bracken (1981) besides social and political reservations, it is also economic uncertainties that prevent planners making consistent long range comprehensive estimates. However, in order a planning activity to be successful, it needs to be translated into action through policies which are based on strategies with sound data (Bracken, 1981).

This was surely the result of changes experienced in the field of planning in 1970s where the focus from purely physical land-use criteria for plan making shifted towards the more broadly based set of economic and social criteria in structure and strategic plan making (Cullingworth and Orr, 1969). This was also associated with a more political or participative element in plan and policy making (Skeffington, 1969). Today, there are still urban planning systems based on purely land-use criteria, however, they are facing heavy criticisms due to being too bureaucratic, static, rigid and time-consuming as well as excluding target beneficiaries, community groups, non-governmental organizations from the process. Moreover, such planning systems are segregated from the sectoral processes responsible for providing the financial tools and other infrastructure and services for urban development (WHO, 1999).

Although various planning systems still exist within the member states of the EU, there is a general tendency to move towards strategic planning which is categorized by the coordination of sectors and fiscal viability. The result is not just a

land use plan but a set of consistent strategies for land, infrastructure, fiscal and institutional development developed through intergovernmental cooperation, consultation and negotiation. Planners now need to broaden their perspective to think about social, economic and environmental sustainability of land use which necessitate greater awareness on social and economic consequences of specific types of urban development (WHO, 1999).

Starting from 1970s urban theorists set off new ideas to express the changes experienced in the field of urban planning. Batty (1976) for example reinvestigates the process questioning ‘what’ should be planned, ‘how’ urban planning should be undertaken and particularly how relevant problems ‘or objectives’ should be defined and treated as well as ‘by whom’ and ‘on whose behalf’ urban planning should be carried out. This has led to new organizational and procedural frameworks by which such implementations may be carried out. An essential concept in this role is that of evaluation and monitoring, of which broad function is to assess progressing change, to measure the impacts experienced as a result of implementing plans and policies (Bracken, 1980b).

In the search for more systematic ways to plan and manage urban affairs and break away from the inflexible development framework, Wilson (1968, 1974) recommends classifying planning under the headings of *analysis*, *design* and *policy* where policy includes the implementation of plans and evaluation criteria to assess the effectiveness of the alternative policies. ‘Goal formulation’ is fundamental to this process in order that objectives and purposes may be clearly understood (Bracken, 1981, p.17).

Therefore, policy is a process where plan making bodies should be thinking essentially in terms of ‘goals, means and consequences’. The seminal work of Keleş

(2000) on *Urban Politics (Kentleşme Politikası)* for example also view policy as a holistic process and therefore recognizes the need for long-term and comprehensive urban policies to respond the societal, economic, political and land-use problems deriving from urbanization.

Ranney (1968), on the other hand, considers policy more narrowly, as a matter of 'declaration of intent', and this corresponds to the everyday use of term. To 'have a policy' is thus the equivalent of 'to have an intention to do something'. There is considerable philosophical debate on this point, some writers considering that policy consists only of the intended course of action, whereas others embrace the actual behaviour involved in implementing the intentions. It is, however, generally agreed that the definition of policy lies somewhere between the intentions of individuals on particular decisions on the one hand and general social movements on the other. In other words, the concept of public policy implies both a multiplicity of actors and an explicit intention.

Steiss (1973) on the other hand draws attention to the significance of the role of the planner/policy maker and indicates that this should not be a position where they negotiate to sustain the status quo, a role similar to that of the politician. Rather, they should use their position to influence the political and public understanding by creating a potential for the recognition of urban problems and the ways of overcoming them. This will cause a questioning of the nature of the status quo where possibilities for change are suggested. This requires urban planning to be idealized as a continuous direction-seeking process, capable of allowing policy decisions to be subjected to improvement over time (Lynch, 1972).

According to Harris (1970) urban planning cannot be a unitary process because disagreement is very likely to rise during its course of action (Harris, 1970).

Moreover, policy making is a generator of conflict as well. Through political and social interaction, the decisions and priorities of the participants in policy making are either approved, altered, compromised, or rejected (Lindblom, 1965). Even the announcement of policy intention is a motivation to reaction, and this suggests that policy making is a naturally political, rather than a technical process (Rondinelli, 1973). Policy, then, evolves through socio-political processes and this means that differing views must be expected as to the purpose of urban planning (as with other social policy-making fields) to predominate from time to time; and this involves a 'problem-solving' approach (Bracken, 1981, p.20-21).

Another way of viewing urban planning process is to perceive it as an outcome of a complex relationship between market forces and public involvement. This interaction can be envisaged in 'demand and supply' terms. On the one hand, there are the various 'demands' of the individuals, groups and sometimes the societies which impose their particular needs on space, an indeed on other resources, and they compete in terms of conflicting locational preferences. On the 'supply' side, there is land-use planners and other public agencies, and their decisions in permitting specific types of development to take place in particular locations (Lynch, 1972). The main activities within the urban system which pose their demands upon land can be readily stated – residence, education, employment, leisure and mobility. Given the essentially dynamic nature of society, each of these activities will impose a particular demand pattern both in space and time, and optimizing policy over time is probably the greatest challenge to any planning system. It is clear that many of the criticisms of the land-use planning system relate directly to the difficulty of developing a method of land-use control which, at the same time, can provide clear

guidance for present development, yet remain adaptable enough to take account of the inevitable changes in circumstances (Bracken, 1981, p.27).

Activities and their complex inter-relationships are rationalized by urban planners in order to provide a basis for plan and policy making. This involves moving from a broad, high-level purpose to more narrowly defined objectives in facing particular issues or problems. In search for greater rationality, urban planners have increasingly attempted to clearly state their purposes by specifying broad *goals*, and from them, identify specific *objectives* capable of guiding action, but goals, and even derived objectives, have proved difficult to specify at any kind of operational level (Gutch, 1970, Bracken, 1981, p.28).

However, Perraton (1972) states that some kind of objective is required for at least four reasons. The first is because of the general commitment of planning to a longer-term view of urban affairs; the second because of the emphasis in planning given to a user-orientation; the third because of the need to make conflicts over objectives quite explicit; and fourth, because of the need to consider a wide range of impacts and effects of any policy or plan (Bracken, 1981, p.28).

Consequently, an effective policy analysis needs to be broad in scope and consider the logical outcomes and consequences of having attempted to implement a particular policy. This distinction suggests a starting point for an analytical framework. While it will be clear that what is intended will frequently differ from what happens, some less obvious differences can also be subject to analysis. For example, as between what a policy maker intends to happen (his ideal position) and what he, more realistically perhaps, expects to happen. Equally there will be differences to measure between what happens as a result of a policy, and as to how

this is perceived by various actors or groups affected by the policy (Bracken, 1981, p.231-232).

It is understandable that considering the complexity of the system which links policy instruments to social objectives, planners cannot expect to be able to move directly and sufficiently from an objective statement to the identification of policy to achieve that objective (Wilson, 1974). It can then be argued that the success of any policy lies at the core of distinguishing between the forces of inertia and reaction. Inertia concerns the extent to which a system or a situation is resistant to the changes imposed on it through the attempt to implement policies. The concept of reaction recognizes that human subjects of a policy will respond to that policy in positive and frequently unpredictable ways. Thus the system may avoid the intentions of the policy maker or react in ways which may not only reduce the intended effect, but give rise to a whole range of unanticipated outcomes. It is fundamental to policy analysis to expect that policy will produce unintended effects that may extend into all kinds of areas beyond the intentions of policy makers and which may reveal themselves only over quite long periods of time (Bracken, 1981, p.231). This is exactly why policy outcomes should be monitored and then evaluated so that they can be improved at long-term.

Evaluation involves identifying the likely impacts of alternative plans and policies, assessing the relative importance of those impacts and relating these to resource needs, costs and availability over the period of plan (Bracken, 1981, p. 73). Monitoring on the other hand involves the regular, deliberate and systematic connection and analysis of information (McLoughin, 1975) so that remarks and opinions on policies can be stated. According to Haynes (1974), the effectiveness of a planning system must be judged by its continuing ability to influence change

towards desired ends which can only be realised if monitoring process exists. The existence of such an activity makes sure that policy is continuously adapted to continuing objectives.

Moving on from the general debate on the multi-dimensions of urban policy analysis to a more specific theme- the spatial policy making at the EU level-, one comes across with a comparatively new field of study, yet, with much more challenging issues facing the states, cities and their administrations in the EU. Accordingly, Jensen-Butler et al. (1997), Moulaett and Scott (1997) argue that most of the European cities and regions today need to develop policies that can tackle with the results of globalisation, international competition and further European integration. These include public/private partnerships, urban entrepreneurialism and city marketing, local capacity building and the continued marketisation of urban regeneration, housing renewal and co-ordinated urban service delivery, etc. Cities are also considered as generators of knowledge economy, are viewed as the engines of regional development and are allocated a key role within the European economy and in the enhancement of its competitiveness in the global economy (CEC, 2005).

The European cities and regions which are recognizing the significance of moving towards more market-oriented strategies have seem to be more successful at tackling urban problems facing them. However, government involvement still remains strong in European states despite having been somewhat weakened, in a number of policy areas such as transport, housing, education, social services, etc. (Simpson and Chapman, 1999, p.354). As indicated by Simpson and Chapman (1999, p.355) one of the underlying strategic goals for the successfully managed cities is to engage in partnership, in particular with the private sector, and with a wider range of stakeholders (including the voluntary sector, educational institutions,

the community, civic groups etc) who are concerned with the future of the city. There are a range of actors now involved in local level policy and decision making, which help cities become better equipped to compete and create the environment necessary for economic and social cohesion.

The European Commission (EC) has drawn attention to the general problems facing Europe's cities (CEC, 1997,1998) and the need to develop a strategic, long term and co-ordinated response to these problems at the EU level. There has been a strong emphasis on the need to ensure that actions taken on the EU, the member state, regional and local levels are vertically and horizontally integrated. Despite the fact that the EU has no treaty based competence to develop an EU urban policy, these developments have produced what might be termed an urban agenda within the EU that seeks to create a framework within which an EU urban policy can evolve (Atkinson 2001, Atkinson 2008, Parkinson 2005) Moreover, there has been a growing recognition that the EU's sectoral policies have important impacts on urban areas and their development and that these policies should take into account their spatial impact (CEC, 1998).

The EC also underlines the problems arising from the lack of coordination between the sectoral policies and urges for the development of a comprehensive approach. It is in the development of a more coordinated approach to such problems that the EC believes it can play a key role. This can be done not only by helping coordinate the actions of, and encouraging cooperation between, different levels of government and those at the same level (e.g. vertical and horizontal coordination/cooperation), but also by sharing experiences of good practice. In addition to this the EC stresses the importance of community in the development and implementation of these policies (www.gla.ac.uk).

Considering the complicated processes involved in transforming to a market-oriented economy as it demands major changes in planning approaches and institutional organizations of relevant contexts, much effort has to be put into moving from a conventional urban planning approach -that seems to be giving the most damage to settlements-to a more flexible, indicative and proactive planning as well as more democratic, transparent, responsible and decentralized institutions.

2.5 A Methodical Framework for Urban Policy Analysis

As indicated earlier it is not possible to conduct a study of policy analysis without providing a discussion of available methods on urban policy. Although the subject concerns the evaluation of European spatial planning policy, nevertheless, a research on the theoretical background of the general field of policy have produced highly beneficial outcomes. A thorough literature review on European spatial planning has proved that, there is very limited research on spatial policy analysis. Due to lack of academic void on the subject matter, the methodological framework required for the analysis of the ESDP will be grounded on the author's synthesis of the existing theoretical concepts and methods underlying the general field of urban planning and policy. Moving on from this general framework, further research on policy analysis will be examined in the light three general headings; textual (content) analysis, contextual analysis and operational analysis respectively that will hopefully help construct a base for the analysis of the ESDP.

2.5.1 The Textual (Content) Analysis of Policy

Holsti (1969) claims that analysis of policy documents provide a useful framework to cope with a diversity of policy material. Similarly, Fairclough (1989, 1992, 1995) highlights the importance of text analysis, the study of the structure of

text, vocabulary and grammar cohesion, in policy discourse. Bracken on the other hand (1981, p.231), draws attention to the fact that although policy in its nature is basically a purposive activity, a statement of purpose does not itself constitute the sum of a policy, and does not therefore by itself provide an adequate basis for empirical analysis. Therefore, a textual/content analysis on its own will not be enough to represent an articulate diagnosis of the case studies assessed, yet, as part of wider policy discussions will help clarify the intention of the policy maker and give concrete evidence regarding where one document stands against the other in a comparative study. Furthermore, Bracken (1981, p.268) argues that whilst some policy documents clearly express themselves, some tend to be implicit, for reasons of wanting to avoid criticism or being held responsible, or simply to leave room for later bargaining.

Coming to the theme of emerging European urban policy in the past decades, it is observed that they possess a particular jargon regarding the content/language of the policy. As a result of their examination on official EU sources, Williams (1996) and Dukes (2008) indicate that it is now possible to talk about specific policy vocabulary on European urban planning such as regional policy, partnership, governance, subsidiarity etc. all of which are part of a wider discourse that Christiansen, Jorgensen and Wiener (1999, p. 541) describe as 'Euro-speak' and characterize as 'the purpose-built vocabulary of terms to describe (and shape) the reality of the EU' (Dukes, 2008, p.2).

Williams (1996, p.62) also draws attention to the use of acronyms which are usually built up from the constitutional initial letters such as PHARE, TACIS, SOCRATES, ERASMUS, etc. He indicates that these acronyms are used alongside EU abbreviations and Euroenglish terminology, adding to the distinctiveness of the

EU policy discourse and professional jargon. Yet, given the historic significance of the French language as the EU institutions were created, it is also possible to identify Eurofrench contributions to the Eurojargon. Due to Turkish being not amongst official EU languages, it is not possible to come across any Turkish translations of these Eurojargons on official websites of the EU. However, there is a growing interest on EU spatial planning field within Turkish academicians, where Turkish translations of relevant jargons are gaining recognition.

Apart from the language issues, it is worth looking at cartographic expressions in spatial policy documents within the EU and Member States in order to understand the significance of spatial metaphors in European spatial policy making. In their analysis of the 'Green Heart' metaphor that is central to Dutch spatial strategy and to the way many Dutch citizens think of their national territory, Faludi and van der Valk (1994, p.67) argue that metaphors can help increase mode of understanding of a policy as it conveys meaning and content. In the same source it is also indicated that metaphor has a critical role in evoking human imagination (Williams, 1996, p.95). On the other hand, the famous metaphors of the golden triangle and the blue banana (see Figure 2.2.) and the European grape (see Figure 2.3.) are images representing the economic and political core of Europe and the polycentric image of Europe's urban and economic structure respectively. Although it is not possible to come across with the use of spatial metaphors in the official EU documents, they have started being used in national spatial strategy documents of some of the member states.

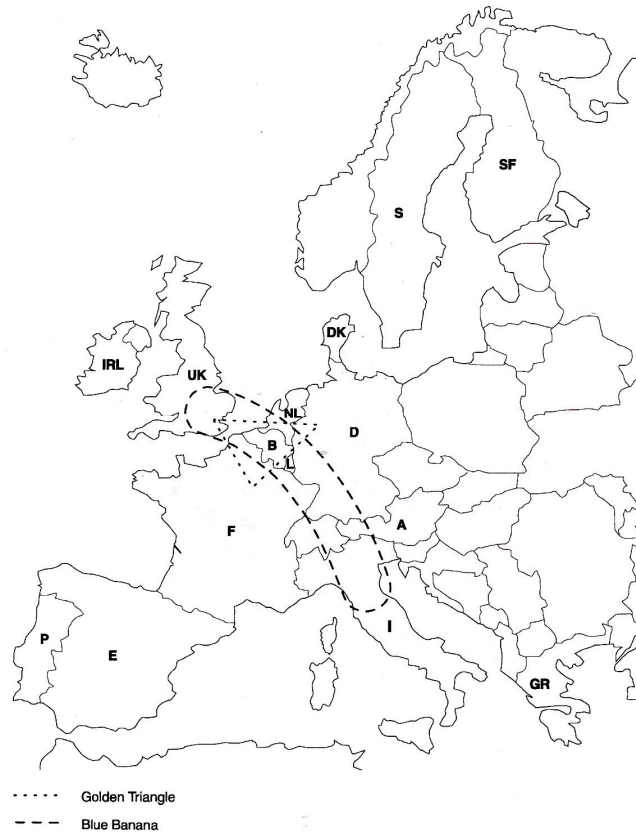


Figure 2.2. The Golden Triangle and the Blue Banana (Williams, 1996, p.95)



Figure 2.3. The European Grape (Kunzmann, 1992, Williams, 1996, p.96)

2.5.2 The Contextual Analysis of Policy

Regan (1978) argues that policy cannot be effectively analyzed outside an understanding of the context into which it is born and in which it is expected to operate. How can this context best be described? According to him, it is important to look at the planning systems initially through the political, judicial and professional frameworks (Regan, 1978, see Figure 2.4. in Bracken, 1981, 1982).

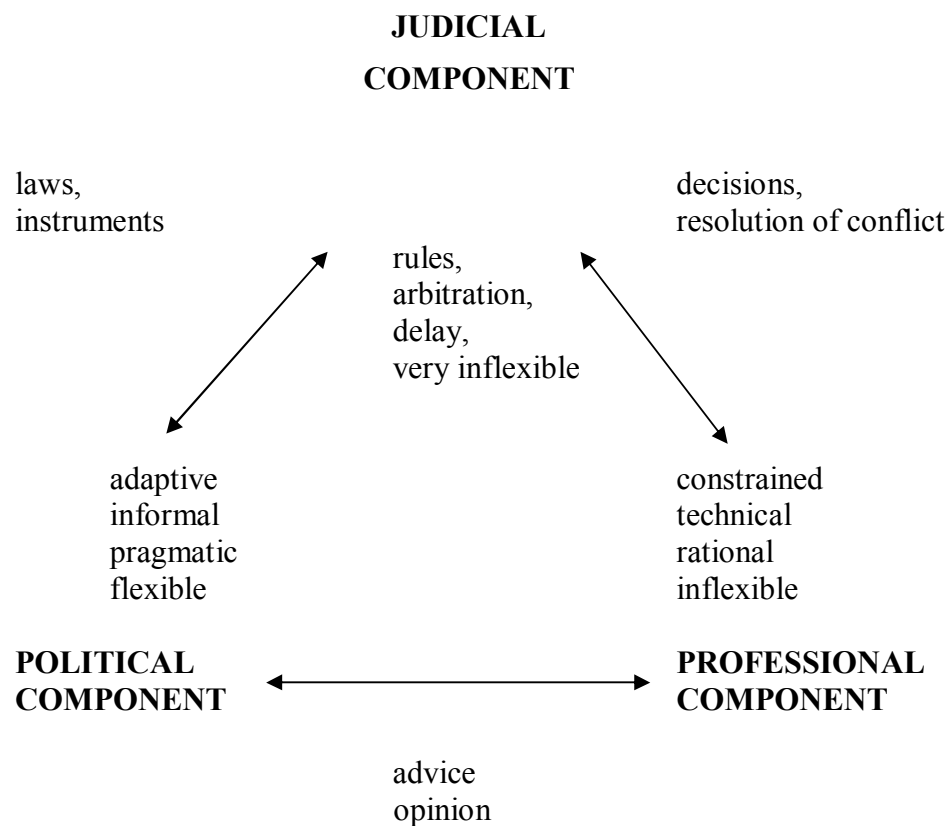


Figure 2.4. Judicial, Political, and Professional Components in a Planning System (Bracken, 1981, p.237).

In practice, any planning system is composed of a blend of these components; however, one of them usually weighs heavier than the other. It will be beneficial to look at what Regan (1978) pointed out regarding the characteristics of these

components. According to the author, the professional element within the planning system is categorized by two qualities; an awareness towards technicality and rationality. The first factor implies that the relevant problem can seriously be evaluated by professionals with necessary skills whereas the latter approaches the problem with rationality to set out goals and objectives for the analysis of courses of action and the selection of an apt approach. Undoubtedly, the land-use system possesses a professional emphasis where there is an inclination for the judgments of planning professionals to be influential and for the favoured approach to be as inclusive as possible (Regan, 1978, Bracken, 1982).

A second viewpoint argues that the urban planning system should be evaluated through a judicial perspective which has two fundamental qualities; subsistence of a set of rules or comparatively objective standards, and an established procedure for the resolution of disagreements by reference to those rules or standards. In this case, the main obligation of the planning system is to be capable to judge; however there are pluses and minuses to such a model. Although the judicial approach comprises sincerity, reliability, fairness and predictability, and these would at first sight look enviable to the citizen who is directly affected, it can create inflexibility due to the rules and standards it imposes. Considering that land-use planning is, in practice trying to control a system of steady change, complying with prescribed rules can bring rigidity and mounting strain to the system. Moreover, this process can become troublesome on long term, causing lengthy delays in practice (Bor, 1974, Bracken, 1981, p.237-238).

The third perspective suggests that the planning system should be viewed as a political system; and this comprises the organizations and procedures under which a state, or region, is administered. For example, a negotiating attitude towards day-to-

day politics brings problems of reliability, and stands as a drawback to sustaining a long-term perspective. (Regan, 1978; Bracken, 1981, p.238).

In practice, any policy field which tries to settle for the three traditions (professional, political and judicial) in a steady affiliation will face enormous intricacies. To sum up, these traditions have contrasting inclinations, and naturally entice diverse directions, and the planning system, in trying to embrace these diverse and equally opposing elements is faced with irreconcilable tensions. This does not only create significant implications for the operation of the planning system, but also generates tensions on the policy content (Regan, 1978, Bracken, 1981, p.239-240).

The judicial system which is comprised of organizational procedures, rules and standards is intrinsically rigid, and undeniably, this is one of its operational merits. However, any administrative and judicial system must be competent for change in order to meet new conditions through legislation and other statutory instruments.

On the other hand, the professional system is moderately inflexible, because of the indifference of the habits, expertise and outlook of those who operate it. However, it should also be noted that the pace of professionals to act in response to changing circumstances is faster than that of administrators, whose main interest is the steadiness of the statutory system. However, the worst situation is the divergence between the judicial and professional traditions on the one hand and the political tradition on the other. The latter's positive feature is its extreme flexibility, which clashes with the professional's belief in his ability to take a long-term view. The policies and expressions of the Strategic Plan for example is viewed as being flexible where there is something in it for everybody (Boynton, 1979).

One of the strongest arguments rooted in the strategic approach of European Spatial Planning is perhaps the recognition of the difficulties underlying the traditional land-use planning system. The fact that traditional planning approaches are usually subjugated by strong judicial and professional components due to the existence of a rigid legislative framework and dominance of professionals whose main concern is the consistency of the status quo, it makes it very intolerable to political pressures and uncertainties. Under these circumstances, where it becomes difficult to balance these components, it is very understandable why a shift from master plans to strategic approaches is required within the member states of the EU.

The contextual dimension of any policy document can also be understood by looking at the environment and actors involved in policy making. Looking at the European spatial planning field, it becomes clear that one of the richness of its policy making environment is the multi-facet actors involved in the process. The existence of a good network of knowledge on the subject matter exerts an affirmative pressure on the making of better policies. That is why the EU and the member states are putting a lot of effort and investment on urban research.

2.5.3 The Operational Analysis of Policy

The success of any policy is closely associated with the effort put towards its implementation. At the most basic level, implementation means motivating or persuading people to behave in accordance with a policy. The result is that even when policy making is successful in its implementation, it is almost certain to suffer public criticism (Quade, 1975, Bracken, 1981, p.241).

There have been numerous attempts to classify the relevant categories of variables that comprise any policy implementation process. First, a clear model is that of Smith (1973), in which there are four broad components:

1. the idealized policy;
2. the implementing organization;
3. the target group; and
4. the policy environment.

As far as the idealized policy is considered, it is possible to identify four clear criteria. Firstly, there is the *formal policy*. This can be defined as the formal decision statement, law or programme that the agency, authority, or government is attempting to implement. Then, there is the type of policy that distinguishes between whether policies are complex or simple; organizational or non-organizational; distributive, re-distributive regulatory, self-regulatory or emotive-symbolic.

The third criterion for the analysis of idealized policy relates to the nature of the policy programme by which the policy will be implemented.

Fourth, there is the important matter of the image of the policy. An essential part of analysis must be to attempt to assess the impact that the policy invokes on the society. Clearly, the perceptions of those affected by the policy will be influential in formulating their attitudes, and there will develop some kind of reactive effect between implementers and recipients (Bracken, 1981, p.246-247).

The second broad component for analysis is that of the implementing agency or organization responsible for putting the policy into effect. Here, Smith's typology suggests three important criteria to guide analysis. First, there is the point that an understanding of the organization structure (for example its stability) and the qualifications and commitment of its personnel who must implement the policy, is essential. An administrative organization in a state of internal change, and/or presence of uncommitted personnel clearly reduces the capacity for the effective implementation. Second, it is important to consider the leadership of the

administration and the effectiveness of influential officers and elected members in motivating successful implementation and command of resources. The third criterion under this heading refers to the capacity of the organization to meet the objectives of programme implementation, for example, in committing resources, evaluating progress, and making sensitive adjustments to maintain a continuity of operations (Bracken, 1981, p.247).

The third broad component is the target (or subject) group which is defined as those who will be affected by the policy and who are thus, in effect, required to adopt a new behaviour pattern. Analysis of the responses which subjects make when confronted by new policy can reveal much about their possible fulfilment, indifference or opposition to policies, and thus be useful in explaining the further reaction of policy members and implementers (Bracken, 1981, p.247).

Van Meter and Van Horn's analysis attempts to construct an overall model for the implementation process. In effect they suggest that the relationship between policy making and its implementation is subject to a number of independent variables defined as:

1. the policy standards and objectives
2. the policy resources
3. the characteristics of the implementing agency
4. the degree of inter-organizational communication and enforcement activities
5. the character of the implementers
6. the prevailing economic social and political conditions, generally known as the policy environment

These variables are all open to analysis in some form, though it is important to note that, as is so common in social situations, they will not be independent of

each other, a point to be borne very much in mind in drawing deductions from empirical information (Bracken, 1981, p.249).

Consequently, policy analysis involves a wide range of methods. Its uniqueness comes from being a hybrid research activity, though this brings some difficult theoretical and methodological problems (Bracken, 1981, p.259). As it can be understood from the discussions above, each variable which is likely to give evidence on one dimension of the policy intersects with another, making it generally difficult to discuss the events under separate headings.

In facing this desperate task, two main methodological themes are involved. Policy analysis in any field will involve the use of *case studies* in order to examine a policy situation in depth, and *comparative analysis* which only can lead to theorizing beyond the single unique event. This has been made clear by Newton and Sharpe (1977) who argue that effective policy analysis can be achieved by a complementary blending of comparative analysis and case studies (Bracken, 1981, p.259).

In the light of discussions carried out under the key headings, textual, contextual and operational, the next chapter attempts to analyze the ESDP within the framework drawn above.

Chapter 3

A METHODOLOGICAL ANALYSIS OF THE EUROPEAN SPATIAL DEVELOPMENT PERSPECTIVE

Without a comprehensive analysis of the ESDP document, it will not be possible to pinpoint where the Town Planning Law stands in line with the European spatial planning policies. Accordingly, the textual (content) analysis of the ESDP document will help identify the key philosophy underlying the ESDP and highlight the topics of European importance. This will facilitate a ground for developing acquaintance with the specific nature of European policies and guide Town Planning Law within this perspective. The contextual analysis on the other hand, will give an idea about the policy environment, who got involved in the process, what the intentions of the policy makers were, etc., hopefully clarifying the European context in which the ESDP is born. Regarding the operational analysis, the study will focus on understanding how the member states were motivated or persuaded to behave in accordance with the ESDP. Considering that one of the greatest weaknesses of the planning system in Northern Cyprus is the lack of implementation tools embedded in the planning legislation, the operational analysis will provide some concrete evidence on how policy can successfully be applied even when it has a non-binding character.

3.1 The Textual (Content) Analysis of the ESDP

The ESDP should not only be viewed as a strategic document prepared to guide development at EU level; but as a guideline that can navigate planning at

different levels within the Member States. Therefore, it should be perceived as a higher level policy document attempting to administer urban development through certain tools and/or measures at transnational, national, cross-border, regional, and local levels and cooperations in between various sectors affecting planning. As a guideline, it can be inspirational to all sorts of policy documents especially at transnational, national and cross-border/regional level. The 60 policy option it promotes (see Appendix) is meant to provide proposals for urban development at various scales.

In need to serve the purpose of raising the Town Planning Law of Northern Cyprus to European standards, the contents of the ESDP are re-examined to obtain some key messages regarding the underlying philosophy and main objectives of the document.

Considering the definition of planning specified earlier, that it actually means the setting out of a strategy by which some desired goals can be achieved, then any policy as a major instrument of planning should be built on a broad policy purpose or political statement (Table 3.1). This is indicated in the ESDP as:

- Better cooperation between Community sectoral policies with significant spatial impacts and between the MS, their regions, and cities
- Signal for broad public participation in the political debate on decisions at the European level and their impacts on cities and regions in the EU.

Apart from its broad purpose, the ESDP clearly states its higher objectives, policy guidelines and aims which makes it easy to understand (Table 3.1).

Table 3.1. The Different Levels of the ESDP Objectives (ESPON, 2006, p.6)

Types of Objectives	Contents
Broad Policy Purpose grounded on the political agenda of the EU	1-Better cooperation between Community sectoral policies with significant spatial impacts and between the MS, their regions, and cities 2-Signal for broad public participation in the political debate on decisions at the European level and their impacts on cities and regions in the EU 3-contribute to the achievement of the goal of economic and social cohesion, 4-contribute to the implementation of Community policies which have a territorial impact, but without constraining the responsible institutions in exercising their responsibilities, 5-contribute to the achievement of sustainable and balanced development, 6-respect existing institutions and be non-binding on Member States, 7-respect the principle of subsidiarity,
Higher Level Objective of the Document	Balanced and sustainable spatial development "Triangle of objectives" (economic and social cohesion, conservation of natural resources and cultural heritage, more balanced competitiveness of the European territory)
Policy Guidelines for Spatial Orientation of Policies	1. Development of a balanced and polycentric urban system and a new urban-rural relationship. 2. Securing parity of access to infrastructure and knowledge. 3. Sustainable development, prudent management, and the protection of the natural and cultural heritage.
Policy Aims for the Territory of the EU	1. Polycentric and balanced spatial development in the EU. 2. Dynamic, attractive, and competitive cities and urbanised regions. 3. Indigenous development, diverse and productive rural areas. 4. Urban-rural partnership. 5. An integrated approach for improved transport links and access to knowledge. 6. Polycentric development model: a basis for better accessibility. 7. Efficient and sustainable use of the infrastructure. 8. Diffusion of innovation and knowledge. 9. Natural and cultural heritage as a development asset. 10. Preservation and development of the natural heritage. 11. Water resource management – a special challenge for spatial development. 12. Creative management of cultural landscapes. 13. Creative management of the cultural heritage.

Its clarity implies that its makers (the member states and the EC) wanted the ESDP to give explicit messages. As an informal policy document, this is the way the document imposes its own application on member states: using clear messages to persuade policymakers think and interact at a variety of different scales such as European/trans-national/cross-border, national, regional and local. Furthermore, it

includes proposals on how spatial policy should be developed at each of these scales and recommends policy options for each of the policy aim proposed in Table 3.1.

The key idea the ESDP puts forward is the cooperation between all levels and sectors (see Table 3.2.). It suggests that community competition policy; trans-european networks (TEN); structural funds; common agricultural policy (CAP); environment policy; research, technology and development (RTD); and loan activities of the European investment bank are sectors that can sometimes have conflicting interest on the territory and there is a need for their cooperation.

Table 3.2. The Key Concepts and Terms in the ESDP (ESPON, 2006, p.6)

Key Terms	Parameters
Themes	Polycentric spatial development (polycentrism) New urban-rural relationship Parity of access to infrastructure and knowledge Wise management of the natural and cultural heritage
Ways	Vertical integration <ul style="list-style-type: none"> • European Commission • Other European institutions • Member States/national authorities • Regional and local authorities Horizontal integration <ul style="list-style-type: none"> • Community Competition Policy; • Trans-European Networks (TEN); • Structural Funds; • Common Agricultural Policy (CAP); • Environment Policy; • Research, Technology and Development (RTD); • Loan Activities of the European Investment Bank.
Means	Cross-border cooperation (Interreg IIIA) Trans-national cooperation (Interreg IIIB) Urban governance Structural Funds
Effects	Institutional changes Changes in planning policies, practices or culture (discourses) Changes in spatial representation (images)
Levels/Scales	European/trans-national/cross-border National Regional Local
Actors	European Commission Other European institutions Member States/national authorities Regional and local authorities Other actors (academic sector, private sector, etc)

The vertical integration of government administrations is also given of high importance due to their conflicting impact on the territory. This surely remains as a more crucial issue at EU level where there are multi-level actors dealing with spatial planning and policy making.

Another issue mentioned earlier regarding the textual analysis of the ESDP was the use of cartography. Unfortunately, there is limited use of spatial metaphors in the ESDP that will make the key messages of the document grasped better. Yet, even after a quick reading it is fairly easy to understand the higher objective, the broad goals, and from them, specific objectives of the document. The ESDP clarifies its intention very openly and provides a framework of policy options and directs the implementer toward ways and means of achieving these policy options.

Although the complexity of public policy making lies at the heart of having to move from objectives to the implementation, nonetheless, the ESDP successfully guides the member states from theory to practice through its political action programme (Tampere Action Programme).

The ESDP document is composed of two sections where besides proposals; the problems are also clearly stated. Identifying the problem gives the plan making body the confidence to tackle with these issues and develop more focused policy options for their abolition. This is somehow grounded on the fact that the ESDP was formed within the scope of the political agenda of the EU.

Within this context, one of the major problems indicated by the ESDP is the spatial impacts of the Community policies; and their lack of coordination. Table 3.3. gives a brief summary of these policies, their spatial impacts and measures to be taken to minimize their effect on the territory of the EU.

Table 3.3. The Spatial Impacts of the Community Policies
(compiled from CEC, 1999)

Policy Areas	Spatial Impacts	Measures
Competition policy	<p>Affects geographical allocation of economic activities and patterns of trade throughout the EU.</p> <p>The market liberalisation can lead to the boosting of the competition between cities and regions often in favour of areas with better locational conditions affecting less favoured areas negatively.</p>	<p>Promotion of the equilibrium between competition and general interest objectives i.e in the telecom and postal markets, liberalization is complemented by provisions to ensure a basic universal service in all regions.</p>
Trans-European Networks (TENs)	<p>Rising traffic levels, especially on road and air networks are threatening the competitiveness of some central areas in the EU by affecting the performance of local business and the population.</p>	<p>Promotion of a well functioning and sustainable transport system to integrate national networks; and access to networks in order to connect isolated and peripheral areas to the central regions.</p> <p>Promotion of shifts from road traffic to the environmentally friendly transport modes, local public transport such as rail, inland waterways and coastal and maritime transport, cycling and walking.</p>
Telecommunications	<p>Spatial disadvantages in rural or inaccessible regions.</p>	<p>Promotion of new innovative telecommunications services and applications such as teleworking, distance learning and teleshopping.</p>
Energy Supply and Infrastructure	<p>Production and transmission of energy influences land use whereas the distribution of energy and consumption technologies affects the organisation of the territory through the encouragement of changes in consumers' behaviour.</p> <p>i.e electricity and gas trans-European networks, the routing of lines or establishment of power plants fundamentally impact on local planning.</p> <p>Gas supply networks require important local storage capacities, usually in underground storage facilities whose location follows geological criteria, which limits the available options for spatial development.</p>	<p>Promotion of renewable energy systems as they help to reduce the environmental impact of the energy sector, thereby reinforcing the flexibility of the system and the economic power supply to remote areas</p>

Table 3.3. The Spatial Impacts of the Community Policies (continues)

Structural Funds and European Regional Development Fund	<p>The allocation of funds has considerable spatial impacts. i.e coastal areas deserve special attention since they are subject to extreme pressures and conflicts between competing land uses.</p>	<p>Promotion of integrated development plans and the principle of partnership, which mobilises, all relevant regional players in the decision-making process. i.e the integration of the Financial Instrument for Fishery Guidance (FIFG) into the Structural Funds and the additional eligibility of Fishery Dependent Areas (FDAs) under the regional fund, marks a fundamental evolution from a sectoral policy into an integrated policy for coastal areas. In addition, the Community initiative PESCA contributes actively to redirecting people and firms of FDAs towards new activities and diversifying the structure of FDAs - restructuring harbours towards multi-activity areas of a maritime nature, combining fisheries or aquaculture with tourism, etc.</p>
The Common Agricultural Policy (CAP)	<p>The enlargement of the EU can increase the pressure to intensify production in certain regions which may have considerable negative effects on the agricultural activity in rural areas with a weaker economy. The intensification, concentration and specialisation of production in agriculture has negative effects on spatial development: i.e creation of monotonous environments, rejection of traditional management methods, the use of large areas of wetland, moorland and natural rough pasture, pollution of ground water by increased use of pesticides and fertilisers, and reduction in biological diversity.</p>	<p>Promotion of coordination between policy areas to integrate agricultural policy with the broader economic and social context of rural areas</p>
Environment Policy	<p>EU legislation on waste and water treatment, noise and air pollution, has a control over new infrastructure developments. Environment policy requirements are therefore becoming important locational factors when it comes to setting up or relocating businesses</p>	<p>Natura 2000 The EC Nitrate Directive Environmental Impact Assessment (Directive 85/337/EEC) Integrated Coastal Zone Management (ICZM)</p>

Table 3.3. The Spatial Impacts of the Community Policies (continues)

Research & Technological Development (RTD)	If training and mobility incentives of the EU, is demanded and granted continually by researchers in more developed regions, on long turn it may have negative effects for the disadvantaged regions.	Promotion of cooperation between companies, research centres and universities to strengthen the scientific and technological basis of industry and its competitiveness
Loan activities of the European Investment Bank (EIB)	Loans have an incentive effect for the promotion of investment projects. Their financing by means of loans has the fiscal benefit of growth effects within the wider economy.	The promotion of the development of both infrastructure and investments in less favoured regions of the EU

The ESDP recognizes a wider field of policy with spatial impacts; and discusses the measures recommended by the EC to minimize these effects. In general, the ESDP stresses the fact that there is a need to go beyond merely sectoral policy instruments; and focus on integrated policies that respond to the conflicting problems originating from the implementation of sectoral policies. Moreover, the document draws attention to the development opportunities arising from individual regions, and stresses the importance of taking into account member states' individual positions in the tailoring of policies. It recommends new forms of cooperation (i.e integrated programmes) which are expected, in the future; help towards a mutual organization of sectoral policies – which up to now have been executed separately – when they affect the same territory (www.europa-eu-un.org). Considering the existing regional disparities resulting from development and in some cases

contradicting spatial effects of Community policies, it is not possible not to appreciate the policy guidelines set out in the ESDP.

In summary, the European Spatial Development Perspective portrays the systematic effort of the EC and the member states develop a guideline where the main target is the achievement of a balanced and sustainable Europe with a strengthened economic and social structure. In line with this target, the ESDP sets out a new perspective for territorial development by emphasizing the need for a broad and integrated approach in regions of the member states (ec.europa.eu). This requires horizontal coordination and close cooperation amongst the authorities responsible for territorial development at all levels (vertical coordination).

Although an informal initiative, in order to be effective and worthwhile, it is advised that the ESDP is applied to the policy-making process not only at the EU level but also at national, regional and local authority level as well. Its role is not only guiding spatial policy yet, providing an outline for the evaluation of the reliability and consistency of spatial policy, especially in respect of urban–rural relationships within regions and of the European context of urban and regional policy (Williams, 2000). This goal has been put into action through the establishment of European Spatial Observation Network (ESPON) as advised by the ESDP.

Without the establishment of ESPON which provides sound data for the development of spatial policies; the monitoring tool, Territorial Impact Assessment (TIA) that gives feedback on the achievement/failure of EU polices and the Tampere Action programme that provides the necessary instruments for the application of ESDP policies, the ESDP would not achieve success at the EU and member states level especially when its non-binding character is considered.

3.2 Contextual Analysis of the ESDP

As discussed previously, understanding the environment in which the ESDP as an EU policy is born might provide concrete evidence on various issues such as the involvement of actors in the policy making process and the general policy environment that has been discussed earlier in chapter 2.5.2. Considering that one of the objectives of the Town Planning Department of Northern Cyprus is to harmonize with EU norms and standards, understanding the general policy environment or the context in which the policy is maintained will give some concrete evidence on why well written statutory documents can sometimes fail in implementation. Additionally, appreciating the context of the policy making environment in the EU is also crucial as this will give a hint on the multiplicity and character of the actors as well as the role they play in the making of spatial policies.

3.2.1 The General Policy Environment

Undoubtedly, what made the application this non-binding document a reality is not only the fact that it was formed by the cooperation of the EC and the member states but the strong political determination advocated to the ESDP as a means of guiding the development of the EU and the member states. The success of the ESDP comes from the fact that its general objectives are grounded on the political goals of the EU, and moreover, this is supported by the member states due to their involvement and contributions in the making of the document. All of the actors mentioned above work for the same purpose, the sustainable development of the whole territory of the EU which aims to preserve the cultural variety of the individual member states whilst targeting for the social and economic integration of the EU. The ESDP is a document that sets out the general rules of this key principle,

the economic and social integration of Europe, the key political objective specified in the treaties establishing the EU.

The strong sustainable political will displayed at many levels of the EU is a justification to Regan's (1987) argument who states that the planning system cannot be understood without looking at the political, judicial and professional components that dominate the overall policy environment. In environments where traditional planning approaches dominate, there is a rigid legislative framework and dominance of professionals whose main concern is the consistency of the status quo. However, in the European spatial planning system, the political component is stronger making it possible to develop long term strategic plans under one ultimate goal, the sustainable development of the EU and its member states.

The ESDP has emerged under this general objective as a means of the political debate regarding the future development of the territory of the European Union by the ministers responsible for Spatial Planning in the Member States of the European Union and the member of the European Commission responsible for Regional Policy. The said document was the product of the committee on spatial development- a group of highly skilled professionals - of the EU and underwent a long period of preparation (1993-1999) comprising a new method and process. The ESDP was the result of rigorous debates among the member states themselves and with the European Commission regarding the spatial development of the EU. It was the Belgian Presidency who came up with the suggestion of making the ESDP. The Ministers responsible for Spatial Planning agreed in Corfu on the outline and preliminary policy options for spatial development in the EU. The main spatial development principles (concepts) for settlement development were established at the Ministerial meeting in Leipzig (ec.europa.eu).

The succeeding French, Spanish and Italian Presidencies developed key scenarios and analyses for a suitable assessment of spatial development (Faludi and Waterhout, 2002). The Dutch Presidency presented the first draft of the ESDP which was followed by EU wide discussions. The Luxembourg and United Kingdom Presidencies exerted more significance on the implementation or application of the ESDP whereas the dialogue carried out with the Accession Countries was deepened during the Austrian Presidency (Faludi and Waterhout, 2002). As a means of discussions at both national and European level, widespread participation of the institutions and groups responsible for spatial development was achieved. On the basis of the First Official Draft of the ESDP (Noordwijk Document/June 1997) comprehensive consultations took place in the fifteen member states, involving central governments, regions and social groups (Faludi and Waterhout, 2002). Additionally, the European Commission organized a series of public seminars, together with the Member States, on the key issues of the ESDP. The opinions of the European institutions (European Parliament, Committee of the Regions, Economic and Social Committee and the inter-service consultations of the European Commission) have also provided important contributions for the ESDP. The ESDP is, thus, the result of a Europe-wide process of public debate where a rich variety of actors have contributed.

Due to the subsidiarity principle of the EU, spatial planning has never become an EU competence, and therefore never possessed a judicial dimension. Although in some policy areas like the environmental policy, the EU legislation is accepted as the supreme law, and member states are expected to comply with these directives, the ESDP itself as a spatial policy document is written more as a guideline. The fact that it does not offer any rules and standards can somehow produce an inconsistent and

unpredictable environment as Regan suggests but nonetheless it has helped towards the establishment of a strategic approach to planning in any of the member states.

Yet, the spatial planning system also comprises a professional component due to the highly skilled professionals involved in the making of the document. This is where the significance of the document comes from that it is not the product of the administrators of the EC but the creation of professional planners who can respond to the changing circumstances of the EU. The strength of the ESDP policy environment lies in the fact that it is the by-product of this delicate relationship in between the professional and political components of the planning system where the latter feeds the former with opinions and advice.

3.2.2 The Key Actors of the EU and Their Involvement in the Making of the ESDP

Undoubtedly, the success of the ESDP is not only related to the general policy environment into which it is born but the multifaceted actors involved in the making and application of the policy document. According to many researchers the success of the document comes from the multi-facet actors involved in the plan/policy making process. During this course of action, a range of governmental, non-governmental organizations and other interest groups with different views go through a negotiation and communication process around a common goal to produce a plan or policy document (Ligtenberg, 2006). Today, all of these actor groups are in one way or the other active in shaping spatial policies for Europe although each has different understanding, intentions and means on what spatial planning at European level is (www.commin.org). Böhme for example (<http://www.spatialforesight.eu/>) argues that the actors at European level are weak when it comes to means and

instruments to exercise spatial policies and that member states, regions and local actors have more competence and means for real action (www.commin.org). This is also specified by Faludi et al. (2000) who argue that spatial development policy or spatial planning for Europe emerged from a group of national actors coming together on a regular base (www.nordregio.se). This has eventually formed a policy network on the European discourse; and this was how the ESDP came to realization; through the cooperation of member states and the EC. Due to the subsidiarity principle of the EU, the EU could not attain any formal responsibility for urban policy; and the Commission proposal to give the EU responsibility for urban matters was rejected by member states in 1991 (Parkinson, 2005).

In the light of the above discussions, the main actors involved in the process of spatial planning at EU level can be viewed under four major groups: The EU institutions, the EU advisory committees, the EU research institutes/agencies, and other interest groups such as member states and their planning agencies.

To the extent that the first group is considered, there are two main EU institutions that are actively involved in spatial policy; the European Commission, mostly represented by the Directorate General for Regional Policies (DG Regio), and the intergovernmental cooperation where the member states unite under a mutual goal to form policies (www.commin.org). The main institution that local or regional planners are likely to come across is the European Commission, which operates as the Secretariat of the European Union. The Commission consists of representatives from the Member States, two from each of the large countries and one from the smaller states. It is separated into a number of Directorates General (DGs), each liable for a particular sector of EU policy making, an arrangement resembling that of national government structures.

The DG whose liability is most fundamental to spatial planning is Regional and Urban Policy; and its aim is to reinforce economic, social and territorial cohesion by reducing inequalities between the levels of development of regions and countries of the European Union (Thissen, 2010). This is the institution which manages the Structural Funds and other funding programmes of concern to planning including those targeted specifically at urban policy issues. Figure 3.1. is a summary of the key EU institutions involved in the making of spatial policies.

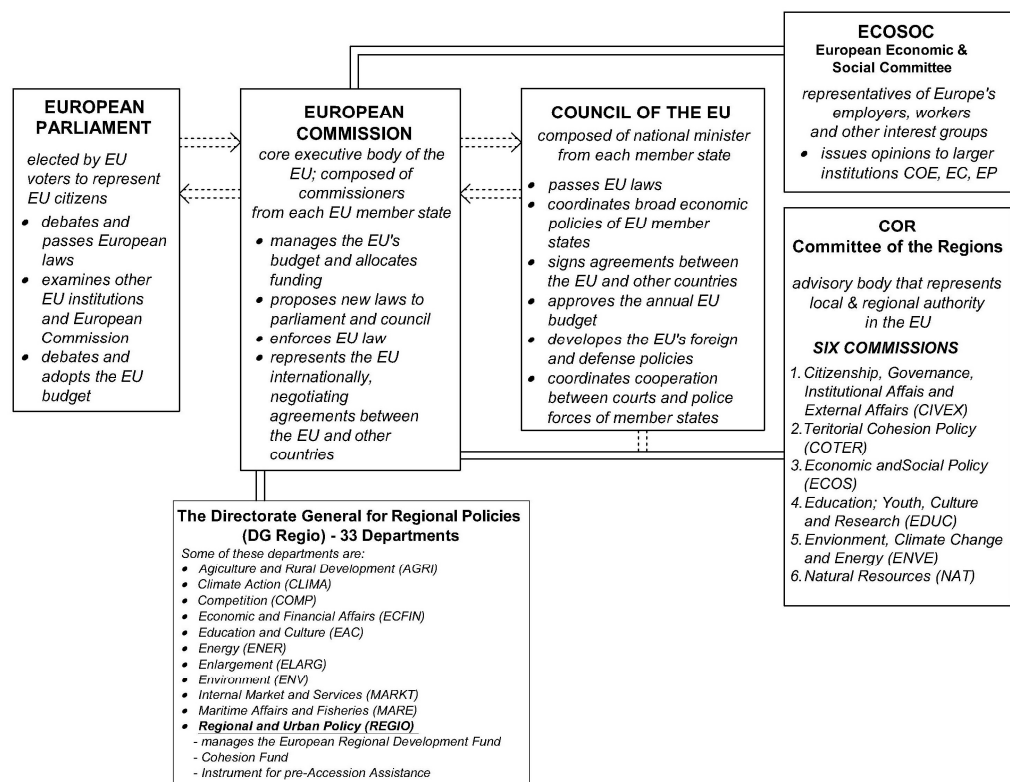


Figure 3.1. The EU Institutions Involved in the Making of Spatial Policies

The role of the European Commission is to propose policy measures that implement the objectives agreed in the treaties and to monitor existing policies. However, no proposal can enter into force until it has been adopted by the Council of Ministers. Its members consist of the appropriate minister from each member state. After presentation of a proposal from the Commission, the Council is required to

take into account the views of other EU institutions and national governments, and may be involved in complex negotiations.

Before the Council of Ministers can enact legislation, extensive consultations are always undertaken with member state governments, and the opinions of the European Parliament, Committee of the Regions and Economic and Social Committee must normally be obtained. Parliament has had, since the 1992 Maastricht Treaty, a role in the legislative process along with that of national ministers. As far as the EU institutions involved in spatial planning are concerned, it is worth including the Council of Europe besides the European Parliament as the initiator of EU policies with a spatial nature. It was initially the European Parliament's Committee on Regional Policy and Regional Planning which produced a Report on a European Regional Planning Scheme, called the Gendebien Report in 1983. Prior to this date, one comes across with the work of the Council of Europe where the Conference of Ministers responsible for spatial planning (CEMAT) had met at intervals since their first meeting in Bonn in 1970. A later product of the work of CEMAT was the European Regional/Spatial Planning Charter (CoE 1984), also known as the Torremolinos Charter, adopted by the spatial planning ministers at their meeting in Torremolinos. This pan-European level actor now includes the involvement of more than the 27 EU Member states.

The second group of actors involved in spatial policy making are the advisory committees of the EU. The Committee of the Regions and the Economic and Social Committee are the two working groups which give opinions on the field of spatial planning. The Committee of the Regions of which the view is considered of high importance in the field of spatial planning consists of politicians elected to local and regional authorities who are nominated by their national government. The Economic

and Social Committee is composed of nominated representatives of employers, trades unions and independent professionals and may also be asked to offer an opinion, but in the planning field this is of less significance (Tewdwr-Jones, 2001).

Another significant working group formed in the field of spatial planning upon the invitation of ministers responsible for spatial planning in the Member states at an informal meeting in Nantes in 1989 is the Committee on Spatial Development (CSD) which was founded in 1991 to initiate an action to formulate a vision of European space. Its mission was to deal with activities concerning European spatial policy and realize decisions of the Informal Council of Ministers of Spatial Planning. In 1993, the discussion among the Member states and the Commission took an important step forward with the decision taken at the informal meeting of ministers in Liège, to put together a mutual document, the Schéma de développement de l'espace communautaire, a European Spatial Development Perspective (www.nordregio.se). The Committee on Spatial Development (CSD), a body established by the EU Ministers in 1991 to write the ESDP was abolished in 2001 (Faludi 1997; Faludi et al. 2000). Since then, new platforms of cooperation have taken over the role of elaborating the territorial dimension of EU policies such as the Subcommittee on Spatial and Urban Development (SUD) of the Committee for the Development and Conversion of the Regions (CDCR), which is the management committee for EU regional policy (Janin, 2005, www.nsl.ethz.ch).

As far as the research institutes at EU level are concerned there are numerous networks established with the purpose of initiating advanced research on urban issues within the European Union through available funds. The motivation for many local and regional authorities dedicate time and effort to constructing networks within the EU, is that many of the EU policies and programmes impact directly on them,

therefore their own policy either has to be formulated or else they are the implementing agency (Williams, 96, p.148). There has been a growing interest starting from 1980s to establish new European associations. Some of these include the ECTP, founded in 1985, Eurocities in 1986, AESOP in 1987, RECITE (Regions and Cities of Europe in 1991, European Spatial Observatory Network (ESPON), the ESPRID, the European Urban Knowledge Network (EUKN), the Sustainable Urban Development European Network (SUDEN) and the Urban Development Network Programme (URBACT). They all produce valuable data on urban issues regarding the EU.

The fourth major group of actors involved in spatial planning policy making is the other interest groups such as the member states and their planning agencies. Being the foundation stones of the European Union, some of the major member states such as Germany, France and Netherlands have always showed a deep interest in urban issues. Having deep rooted planning cultures, these actors have played a key role in the delivery of major documents on spatial planning and shaping of European Spatial Planning discourse. DATAR for example was established in France to synchronize the actions of different ministries. National Spatial Planning Agency on the other hand, is a department within the Ministry of Housing, Spatial Planning and the Environment in Netherlands dealing with the issues of planning at national and transnational level. Both of these agencies played a significant role in the emergence of the ESDP.

Many of these actors have been directly influential in the development spatial planning documents within the EU and added richness to the policy environment. The existence of a broad range of non-governmental organization dealing with urban issues was certainly the product of the funding programmes of EU; and this is where

the strength of the policy environment comes from. There is an extensive variety of organizations which are well equipped to produce scientific data on urban issues that can form the basis of good policies. Similarly, during the preparation process of the ESDP, skilled professionals from the field of planning from various member states, EU institutions, agencies and research centres were involved in the preparation process where there has been a lot of negotiations and conflict resolution involved in the delivery process of the ESDP.

3.3 The Operational Analysis of the ESDP

The third tier of the analysis looks at the way the ESDP operates. At the most basic level, implementation is indicated as motivating or persuading people to behave in accordance with a policy. The success of the ESDP does not only come from the fact it had a political target behind its formation but the fact that it was supported by the necessary financial instruments to achieve its goals. For this reason, it is first worthwhile looking primarily at the wider context to understand what sort of financial instruments are available at the EU level and how the ESDP utilizes these tools to realize its goals.

3.3.1 Implementation Tools Available at the EU Level

Many authors draw attention to the fact that for many individuals, and many local and regional authorities, the EU is accepted as a 'pot of gold' on the way to achieve their goals. This is exactly why spatial planning policies although non-binding in nature has gained increasing importance in member states as well as candidate countries as they provide the means to reach the necessary resources. In order to provide its existing and potential members with the necessary financial instruments, the EU actually requires the member and candidate states to achieve the

spatial planning goals they set in their policy guidelines. Although spatial planning policies are not binding in nature, they still enforce their implementation through the financial instruments provided by the EU for the member and candidate countries. The way to reach this 'pot of gold' as Williams (1996) puts it forward, passes through the implementation of policies as recommended by the EU.

However, it has not been an easy process to achieve integration and co-ordination of funding programmes, the Europeanization of the policies, the criteria for their implementation, and a spatial policy framework within which the European Regional and Development Fund (ERDF), European Social Fund (ESF) and other similar programmes can operate (Williams, 1996, p.70).

There was an effort of the EC in 1978, to classify the areas benefiting from ERDF into four categories, depending on the type of policy action needed. These were areas requiring long-term aid to overcome lack of basic infrastructure, areas requiring assistance for industries in decline, those areas adversely affected by EC policies themselves, and border areas where concerted action of two or more member states was required. In 1980s, the effort for developing policies for urban economic development continued where many local and regional authorities within the EC tried to utilize the opportunities offered by the ERDF to obtain financial support for access roads, factory conversions, new factory building projects, etc (Williams, 1996, p.73).

Programme funding was another response to the perceived needs both to Europeanize the ERDF and to ensure that its funds were used to pursue a properly thought out strategy for regional economic development. Three forms of programs were proposed:

- National Programmes of Community Interest (NCPI)

- Integrated Development Operations (IDO)
- Community Programs (CP)

CPs, or as they are now termed, Community Initiatives (CI) have become one of the main elements of the funding programmes.

In early 1980s new financial instruments were introduced along with the accession of Greece to the EC. The commencement of Integrated Mediterranean Programme (IMP) in 1985 was a direct response to the greater disparities attributable to Greek accession in order to counteract the tendency of several established policies to benefit the wealthier northern regions of the EC.

The development of most fundamental significance for spatial planning during the 1980s was the adoption of the Single European Act. Following this agreement, a significant step towards an EU spatial policy framework was taken within the agreement in 1988 on the coordination of the Structural funds⁶.

This agreement was based on the concept of common overall objectives. Whilst some of these objects were spatially targeted, others had more social objectives and applied throughout the EU territory (see Table 3.4.). These were identified as five key objectives (Tewdwr-Jones, 2001, p.22).

Regions covered by Objective 1 were those whose per capita gross domestic product is less than 75 percent of the EU average, and these included Ireland, Greece, Portugal, south and west Spain, southern Italy, former East Germany, the Mersey region in Britain and the Highlands of Scotland (www.ncte.ie).

⁶ The EU's Structural Funds are administered by the Commission to finance Community structural aid. They comprise the Guidance Section of the EAGGF for agriculture, the Regional Fund for structural aid under the regional policy, the Social Fund for social policy measures, and the Financial Instrument for Fisheries (FIFG). Financial support from the Structural Funds mainly goes to the poorer regions to strengthen the Union's economic and social cohesion so that the challenges of the single market can be met right across the EU.

Table 3.4. Structural Fund Objectives after 1989 (Tewdwr-Jones, 2001, p.22).

Structural Fund Objectives	
1	To promote the development and adjustment of regions whose development is lagging behind
2	To support areas undergoing industrial conversion, whose percentage share of individual employment and average rate of unemployment both exceed the EU average
3	To cover long term unemployment
4	To cover vocational training for young people
5	To support rural areas in need of economic diversification, which are dependent on extremely vulnerable agricultural activities

The funds involved were the European Regional Development Fund (ERDF) which originated in 1975, the European Social Fund (ESF), and the Guidance section of the European Agricultural Guidance and Guarantee Fund (EAGGF). The funding period 1989-93 was the first to operate on this basis and a second programme of funding operated in the period 1994-1999. Enlargement in 1995 led to agreement on an additional spatial objective, Objective 6, to support Arctic Communities.

Reform of the Structural Funds in 1988 also resulted in the provision of a budget for special programmes, known as Community Initiatives, to come up with common solutions to specific problems affecting the whole of the EU (www.midlands.ie). Starting with the late 1990s there has been a move away from the policy making through legislation and towards the development of mutual support initiatives and incentives.

The Maastricht treaty in 1992 created two more instruments: Cohesion funds for the poorer member-states in 1994 – Greece-Ireland-Portugal-Spain- and the European Investment fund for the poorer regions. Cohesion Fund was intended for countries whose per capita GDP is below 90% of the Community average. The rationale behind the Cohesion Fund was to support infrastructure projects related to environment and transport. Nonetheless, financial support under the Cohesion Fund was subject to certain conditions. If the public deficit of a beneficiary Member State

exceeds 3% of national GDP (EMU convergence criteria), no new project was approved until the deficit has been brought under control (europa.eu).

Moving closer to the last decade, it is observed that although the overall structure of EU budget has not changed radically, the member states agreed to adopt new regulations for the Structural Funds. In 2000-2006 periods, there were four different Structural Funds: The European Regional Development fund, the European Social Fund, the European Agricultural Guidance and Guarantee fund, and the financial instrument for fisheries guidance. These are used in different combinations in order to address the three priority objectives (see Table 3.5.).

Table 3.5. Structural Fund Objectives in between 2000-2006 (www.cec.org.uk)

Structural Fund Objectives	
1	To support the Regions whose development is lagging behind
2	To support regions undergoing economic and social conversion
3	To help upgrading of education, training and employment.

The other initiatives included rural development policy, which supported a series of measures covering the whole of the European Union: early retirement from farms, financial support for less favoured areas, forestry, the agricultural environment, investment in agricultural holdings, the setting up of young farmers, training, improving the processing and marketing of agricultural products, and promoting the adaptation and development of rural areas (www.cec.org.uk). Alongside these three priority objectives, member-states benefit from support under the structural funds for four community initiatives: URBAN, LEADER, EQUAL and INTERREG of which the main features are summarized in Tables 3.6. and 3.7.

Table 3.6. Main features of URBAN; LEADER; EQUAL and INTERREG
(http://ec.europa.eu/regional_policy)

Community Initiatives (CI)	Objectives
URBAN	<p>As a CI of ERDF, it aims to promote the design and implementation of innovative models of development for the economic and social regeneration of troubled urban areas; and strengthen information and experience-sharing on sustainable urban development in the EU.</p> <p>The Urban Pilot Programme aims to support innovation in urban regeneration and planning within the framework of the broader Community policy for promoting economic and social cohesion.</p>
LEADER	<p>It aims to help rural actors consider the long-term potential of their local region. Encouraging the implementation of original strategies for sustainable development, it has a strong focus on partnership. Every member state (or region) must set out a rural development programme.</p> <p>Rural development policy for the period 2007 to 2013 is focused on three themes</p> <ul style="list-style-type: none"> -improving the competitiveness of the agricultural and forestry sector - improving the environment and the countryside - improving the quality of life in rural areas and encouraging diversity
EQUAL	<p>Its mission is to promote a better model for working life by fighting discrimination and exclusion on the basis of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation. Funded by the ESF, EQUAL is part of the European Union's strategy for more and better jobs and for ensuring that no-one is denied access to them.</p>
INTERREG	<p>It is designed to stimulate the cooperation between the member states of the European Union on different levels and is financed under the ERDF. The Interreg initiative is designed to strengthen economic and social cohesion throughout the European Union, by fostering the balanced development of the continent through cross-border, transnational and interregional cooperation. Special emphasis has been placed on integrating remote regions and those which share external borders with the candidate countries.</p> <ul style="list-style-type: none"> -Interreg I (1989-93) -Interreg II (1994-99) -Interreg III (2000-2006) -Interreg IV (2007-2013) <p>The final beneficiaries are usually public authorities, interest associations and non-profit organisations, such as chambers of commerce, employer organisations, unions or research institutes.</p>

Responsibility for the implementation of the Community Initiative programmes in the member states lies with the national authorities. The accurate impact of the initiative contributes to the development of even stronger transnational cooperation between regions and member states in the new ESF during 2007-2013

(skills-int.com). A wide range of actors is benefiting from these cross-border actions, not only from the public sector but also from NGOs and industry, amongst others (http://ec.europa.eu/employment_social/equal/about/index_en.cfm).

The overall benefit of these financial instruments does not only include the implementation of policies set out by the EU through the collaboration of member states but the mutual learning ground it establishes for individuals, municipalities, regional and national authorities all over Europe.

Table 3.7. Composition of INTERREG (http://ec.europa.eu/regional_policy)

INTERREG	
INTERREG A	cross-border cooperation; aims to develop cross-border social and economic centres through common development strategies.
INTERREG B	transnational cooperation; involving national, regional and local authorities aims to promote better integration within the Union through the formation of large groups of European regions.
INTERREG C	interregional cooperation; aims to improve the effectiveness of regional development policies and instruments through large-scale information exchange and sharing of experience (networks).

3.3.2 The Utilization of the Financial Instruments and Other Tools by the ESDP

Coming back to the topic of the ESDP, it foresees its application through two major strands; The Community INTERREG Initiative and the Tampere ESDP Action Programme (TEAP). The EU has not only supported the application of the ESDP through its financial instruments but introduced an action plan to carry out its policy aims so that they can be translated into examples of good practice at European level and trans-national as well as at national, regional and local level.

According to the assessment carried out by ESPON (2006), there has been a follow-up to most actions, but implementation did not fully meet with initial expectations. Tasks that were already under implementation such as the establishment of the European Spatial Planning Observation Network (ESPON)

programme and tasks that were well defined and which did not require a lot of cooperation between countries have been carried out to a much greater extent than other tasks that did not meet these criteria (ESPON, 2006). Several elements of the TEAP were however carried through. The most prominent example is the ESPON 2006 programme and the subsequent ESPON 2013 programme.

The ESDP also helped to give rise to INTERREG IIC, which was followed up by Strand B (trans-national cooperation) of the INTERREG III Initiative, which is consequently the most closely related strand to the aims of the ESDP. Under the INTERREG IIC initiative for example, Member State cooperation took place according to three main spheres of support: transnational co-operation for spatial development in seven co-operation areas; preventive flood protection in two programme regions and precautions against drought damage in four national support programmes on the basis of mutually developed programmes (Table 3.8.). In addition to this, transnational pilot actions were implemented in 4 co-operation areas in accordance with ERDF Article 10. The geographical areas covered by these programmes are the result of detailed negotiations between the participating countries. In some areas non-Member States of the EU have also participated (CEC, 1999, p.39)

However, from 2001 onwards, most actions went on without any reference to the TEAP due to the difficulties met in the implementation process. This was associated with the character of the TEAP process (informal, innovative, relying on voluntary commitment) making it quite sensitive to the political and organisational context (ESPON, 2006). The TEAP was partially implemented and had some persisting effects on European spatial planning. However, the emergence of new

political agendas (e.g. Lisbon and Gothenburg) and new European policy concepts resulted in the abandonment of the TEAP.

Table 3.8. Structures for the Application of Transnational Operational Programmes for Spatial Development (CEC, 1999, p.40)

Co-operation-Area	Decision-making committees	Secretariat	Financial Handling of the EU-Funds
INTERREG II C - Transnational Co-operation for Spatial Development			
Baltic Sea	Joint	Headquarters in Rostock, D Branch in Karlskrona, S	Centrally through I-Bank Schleswig-Holstein in Kiel/Rostock
North Sea	Joint	Headquarters in Viborg, DK	Centrally through Jyske-Bank in Viborg
CADSES	Joint	Networking of national institutions	National institutions
NWMA	Joint	Headquarters in London, UK	Centrally through Lloyds Bank in London
Atlantic Area	Joint	Networking of national institutions supported by a central secretariat in Poitiers, F (in preparation)	Centrally through appointed bank
South-Western Europe	Joint	Networking of national institutions	National institutions
Western Mediterranean	Joint	Networking of national institutions	National institutions
INTERREG II C - Flood Mitigation			
Flood Prevention Rhine-Meuse	Joint	Headquarters in The Hague, NL	Centrally through I-Bank Nordrhein-Westfalen in Düsseldorf
France/Italy	Joint	Networking of national institutions	National institutions
Article 10 - Pilot Actions			
Northern Periphery	Joint	Centrally in Oulu, Finland	Centrally through den Regional rat von Nord-Ostrobothnia
West. Mediterranean/Latin Alps	Joint	Networking of national institutions	National institutions
Alpine Space	Joint	Networking of national institutions	National institutions
Mediterranean Gateway	Joint	Networking of national institutions	National institutions

Yet, another important feature of the document from the operational point of view is the assessment idea put forward through the Territorial Impact Assessment (TIA). The research project carried out by ESPON, *The Application and Effects of the ESDP in Member States*, attempts to assess the territorial impact of the ESDP policies at European, transnational and national/regional scale within the EU by looking at whether the policy aims put forward at various levels has been achieved. Inclusion of a monitoring and assessment procedure to the ESDP actually implies

that success of any policy is grounded on learning from experience, and adapting to changes over time.

Chapter 4

UNDERSTANDING THE CONTEXT OF URBAN PLANNING IN NORTHERN CYPRUS

Being the third largest island in the Mediterranean of a total surface area of 9,251 km², Cyprus shows evidence of unique characteristics in relation to the urban and rural settlements it possesses as a result of its size. Besides these features, the island also possesses one of the most enriched historical landscapes within the rest of Europe. Cyprus owes the prosperous historical heritage it embraces to the cultures it accommodated throughout its history. Due to its strategic location in the Eastern Mediterranean, the island have always attracted outsiders such as conquerors and colonial rulers which includes the Romans (30 BC-330AD), the Byzantines (330-1191), Richard the Lionheart and the Knights Templar (1191-1192), the Lusignans (1192-1489), the Genovese (1373-1464), the Venetians (1489-1571), the Ottomans (1571-1878) and finally the British (1878-1960) [Atun & Doratli, 2009].

Undoubtedly, the form and the structure of the urban and rural settlements we are familiar with today implicitly/explicitly exhibits the traces of cultures that lived on the island in earlier periods. Owning a considerable amount of historical assets; possessing a variety of cultures and being surrounded by the Mediterranean Sea and the sun made the island famous for tourism over the years, attracting lots of visitors and foreign capital. However, being a major source of attraction for tourism instigated large scale investments to the island such as holiday resorts and homes along the coastlines, gradually changing the urban development pattern of both urban

and rural settlements on the island. Surely, another major issue affecting the urban development pattern on the island is the Cyprus problem inherited from the British colonial period.

Although Cyprus owes much to the British Colonial Administration regarding the sustenance of land codes inherited from the Ottoman period; and formation of an administrative and legislative system regarding the issue of urban planning, it should also be stated how much impairment they caused in the island regarding the divide and rule policy they employed on the native cultures. Consequently, it was not long after gaining its independence from the British Colonial Administration in 1960 that the joint government of Turkish and Greek Cypriots collapsed leading to an intercommunal violence in between 1963 and 1974 which finally ended up with the sheltering of Turkish Cypriot Community into enclaves.

The constitutional order was restored by Turkey's intervention to the island in 1974, yet led to the permanent division of the island into two separate regions: Northern and Southern Cyprus to be accommodated by Turkish and Greek Cypriots respectively. Including the capital city of Nicosia, many settlements were seriously affected from the results of division both physically, socially and economically.

Dealing with a slow pace of urbanization until early 2000's, urban and rural settlements as well as coastal areas of Northern Cyprus has been subject to ill effects of rapid urbanization aftermath of well known Annan plan proposed by the United Nations General secretary Kofi Annan to resolve the Cyprus problem in 2004 (Yorucu & Keles, 2007) . Coupled with the entry of Cyprus to the EU, there have been radical changes in regards to the opening of the buffer zone, or Green Line, between North and South which made the crossings of people, goods and services possible due to the Green Line Regulation of the EU (Arslan, 2005). This has given

a new direction to the urban development in Northern part of the island which shall be discussed in more detail in the following sub-chapter.

In the light of this perspective, the thesis concentrates on urban development trends next sub-chapter explores the planning system of Northern Cyprus through a historical perspective that will create a base for understanding the current urban problems; legislative and organizational deficits experienced..

4.1 An Exploration of the Planning System of Northern Cyprus through a Historical Perspective

The planning system in Northern Cyprus has been built upon the traditional land use approach inherited from the British administration that governed the island from late 19th century till 1960. However, there are sources which identify the current land use system in Cyprus as a legacy of the Ottoman land codes that existed throughout the island from the mid 16th century onwards.

According to Thirgood (1987) the current land-use system that was inherited from the British Colonial Administration has its roots embedded in the land management system of the Ottoman period. The author categorizes these as;

- *Arazi-i memluke or mulk* was land in absolute ownership of the individual.
- *Arazi-i Miri* was state land in the legal possession of the Treasury, the possession of which was held under a title deed (*tapu*) which granted permanent leasehold. This included all cultivated land, grazing grounds, and forests given by Government for use. *Arazi-i merkufe* or *waqf* was land, some right over which was dedicated to a Moslem pious or institution.

- *Arazi-i metruke* or *mer'a* was land especially reserved for some public use such as roads, public squares, open spaces, places of worship, communal forests and patures.
- *Arazi-i mevat, mowat or hali* was dead or wasteland not included in any other category, unoccupied and usually at a distance from a village or town. Anyone could cultivate hali land, and after ten year' continual occupancy could claim a tapu as miri.

All these categories were subject to different conditions of inheritance, taxation and sale which complicated land use decisions further. Although a Land Registration Law was enacted in 1858 for implementation throughout the Ottoman domains, this law was not effectively applied in Cyprus (Thirgood, 1987, p.48)

After the hiring of the island from the Ottoman Empire in 1878, the British administration sustained the land classification set out by the Ottoman Empire. However, their contribution came with the detailed land survey carried out to identify all boundaries and landmarks on lands where existing historical buildings from earlier periods were also listed down. The cadastral maps in use today were developed during the early years of the British Administration. The establishment of Public Works Department in 1898 by the British Administration was followed by major infrastructure developments all round the island including the opening of the internal market to foreign trade through the rehabilitation of harbours (Tozan and Akin, 2009). During this period, more emphasis was put on the preparation of legal documents concerning the rehabilitation and development of towns. This was followed by the rural development plan in 1938 where the rehabilitation of the villages was targeted (Tozan and Akin, 2009). This application is still in use today

where standard housing plans as well as vacant lands are delivered to younger generation to entice them stay in the villages where they are born.

Following the partial reforms on Ottoman Land Codes in 1946, British administration enacted a new land law that replaced the land code in effect under the Ottomans, in which all agricultural land belonged to the state. The Immovable Property (Tenure, Registration, and Valuation) Law of 1946 established the present-day legal basis for landholding (reference.allrefer.com). All former state lands that had been properly acquired by individuals were declared to be private property. Communal land remained the property of villages or towns, and all unoccupied and vacant land not lawfully held (most forest land, for example) became state land.

However, there was a shared cultural tradition in between Greek and Turkish Cypriots that contributed to the fragmentation of private lands. As such both Greek and Turkish inheritance customs required the division of an estate among the surviving heirs. During the 1946 law, it was not only the fragmentation of land that was a problem, but the fact that many of these lands had no access roads, and owners possessed different numbers of plots that might be separated by distances of several kilometres also created great problems. Due to the limited influence of the 1946 law on fragmentation of plots, the government endorsed the Land Consolidation Law of 1969 to sort out the dilemma of land occupancy. The law established the Central Land Consolidation Authority, with the authority to purchase land and other property so that merging of fragmented holdings could be achieved. The land consolidation program also involved the construction of a service road network to connect all plots to larger roads (reference.allrefer.com).

In line with the land reforms that targeted the consolidation of fragmented holdings, the British Administration introduced other legislative actions towards the

management of urban-rural environment. The protection of shorelines in 1934 (Cap 59), and the protection of historical buildings and sites by the antiquities law in 1935 was followed by the 'Street and Building Regulations Law' in 1946 (Cap 96) of which main task was to regulate the construction of new buildings and roads and maintenance of the existing ones.

After the endorsement of the Street and Building Regulations Law, six major towns Nicosia, Famagusta, Kyrenia, Larnaca, Limasol and Paphos were given the authority to implement the law within their borders (Tozan et al., 2009). Georghiades (1996) and Atun (2004) indicate that this was an important progress regarding the compilation of separate laws under an articulate legal document. According to Atun (2004), although the document introduced certain standards and norms regarding the layout of buildings and streets, nonetheless it did not comprise a holistic approach to planning, but, yet can be considered as an important step towards the emergence of an understanding in planning. Accordingly, it paved the way for the establishment of the Housing Department in 1950 and Town Planning Department in 1955, resulting in the amalgamation of the two institutions under the title of Town Planning and Housing Department (Atun, 2004. P. 135). The first works of this department include the Master Plan of Famagusta, Nicosia and Limassol. However, the inadequacy of the Street and Building Regulations Law to control the rapid urban development in the island, prepared the ground for a Town Planning Law of which the first draft was published in 1957 (Atun, 2004, p. 135). Although the the Law was put on the government agenda in between 1959-69, (Atun, 2004, p. 135) due to rapid economic growth and development (Kammas, 1993) resulting from rising tourist arrivals, agriculture and trade (Sharpley in Altrok et al ed., 2006), its adoption was never realized. However, the impact of growing economic development necessitated

the establishment of a planning committee in 1967 to review the idea of preparing a Town Planning Law, and associated regional and local plans for Cyprus. The committee worked in cooperation with the Nottingham University and came up with the idea of the Cyprus Planning Project which could only be enacted in 1972 (Atun, 2004, p.136). The new planning law included long term strategies for the balanced development of the island and proposed the making of the national physical plan, local (regional) plans (for Nicosia, Limassol, Paphos and Larnaca) and priority area schemes that aimed for projects for more at urban design scale. Although the island plan was approved in 1974, its implementation was distracted by the division of the island the same year (Atun, 2004, p.136).

Together with the establishment of the Federated State of Northern Cyprus just after the division in 1974, a new administrative structure was formed, where all activities relating to planning and architecture was managed under the Planning and Construction Office. The first Turkish Cypriot planner arrives to the island in 1972 and joins this department to contend with issues relating to planning. The first law relating to land and property issues, the 'Housing, Allocation of Land and Property of Equal Value' Law (41/1977), comprises the resettlement of Turkish Cypriot immigrants fleeing from Southern Cyprus. This was a very intricate issue and kept the new administration busy until the establishment of the Town Planning Department in 1983 when the idea for a Town Planning Law came into being. By then, the Chamber of Turkish Cypriot planners was also established. Whilst the laws from the British period continued their existence in the new Republic, there also started preparations regarding the preparation of a Town Planning Law for Northern Cyprus. Together with the translation of the 1972 Town Planning Law into Turkish, the young TPD administration started working on the draft of the Town Planning

Law in cooperation with a group of consultants from Turkey. This period also coincided with the making of the Nicosia Master Plan (1984) that enriched the experiences of the TPD team and contributed to the finalization of the Town Planning Law. Finally the Law was enacted in 1989.

Until early 1990s the rural and urban landscapes of Northern Cyprus were a by-product of Street and Building Regulation Law introduced during the British Administration until the endorsement of the Town Planning Law which brought out certain rules relating to the making of plans and controlling of development in Northern Cyprus.

The historical perspective on the planning culture of Northern Cyprus proves that there has been a shift from the land management system of the Ottoman period to a land-use approach where a hierarchy of plans and statutory documents were introduced to guide planning. Surely, the land management system inherited from the Ottoman Empire advocated a lot of significance to the management of land by the state where citizens were allowed to pass the land onto their sons granted by the state. However, the land-use system of today is an attempt towards regulating the use of land through land use maps and zoning regulations in an attempt to avoid land use conflicts.

The thesis proceeds with further research on the planning legislation of Northern Cyprus in need to understand the land-use system in a more articulate manner.

4.2 The Legislative Framework Establishing the Planning System

The key documents shaping the development of the territory of Northern Cyprus are based on translations of the original British laws which were later amended to suit the needs of the new Turkish Republic founded in 1983. The

constitution founding the Turkish Republic of Northern Cyprus holds the state and individuals responsible for the use and management of coasts, the protection of the environment, the use of land, the conservation of natural, cultural and historical heritage and planning of the cities and state. Under this general scope, the legal framework regulating the building activities and physical development of land can be looked at under two broad headings. These documents are also summarized in the Table 4.1.

- Laws and regulations in force since the British Colonial and Cyprus Republic period
- Laws and regulations which came into force after the establishment of the TRNC

Table 4.1. The Legislative Framework of Planning in Northern Cyprus

URBAN LEGISLATION FROM THE BRITISH PERIOD TO CURRENT TIMES	
LEGISLATION	GOAL
Cap 59 (1934) (32/2008)	The law targets for the protection of shorelines by introducing restrictions regarding the construction of buildings
Antiquities law (1935) (13/2001)	The law designed to protect buildings and sites of historical importance
The Rural Development Plan (1938)	The law targets the rehabilitation of villages.
The Immovable Property Law (1946)	The law that established the present-day legal basis for landholding; and declared all former state lands that had been properly acquired by individuals to be private property. Communal land remained the property of villages or towns, and all unoccupied and vacant land not lawfully held became state land.
Street and Building Regulations Law (1946) Cap 96	This Law regulates the construction of new buildings and roads and maintenance of existing ones as well as conservation and control of the land use development
Display of Advertisement Control Law (1957)	To control the use of advertisement boards in urban and rural settlements
Land Consolidation Law (1969)	The law established the Central Land Consolidation Authority, with the power to buy and also acquire compulsorily land and other property so that merging of fragmented holdings could be achieved. The land consolidation program also involved the construction of a service road network to connect all plots to larger roads.

Table 4.1. The Legislative Framework of Planning in Northern Cyprus (continues)

URBAN LEGISLATION FROM THE BRITISH PERIOD TO CURRENT TIMES	
LEGISLATION	GOAL
Housing, Allocation of Land and Property of Equal Value Law (41/1977)	Resettlement of Turkish Cypriot refugees and Turkish immigrants to existing housing stock and land.
The Social Housing Law (23/1978)	It aims for the production of affordable housing for people in need
Lefkoşa Master Plan (1984)	It aims to develop an urban policy and present alternative strategic plans regarding the city of Nicosia
No.16/1987	The law for providing incentives for the tourism sector; a law designed to flourish the tourism sector in Cyprus by giving financial support to the tourism industry.
Town Planning Law (1989)	This law enables the preparation of plans at various levels such as the national physical plan, local plans, environmental plans, priority area schemes, with cooperation and consultation based approach. In case these plans cannot be prepared, the town planning department is authorized to prepare ordinances (cabinet decisions) regarding the areas in danger of the ill effects of urbanization. With this law all the responsibility of making plans and giving planning permission in the whole territory of Northern Cyprus is delegated to the town planning department of the central authority. After the Town Planning Law entered in force the above mentioned laws and laws such as Municipalities Law, Display of Advertisements (Control) Law, Compensation Assessment Tribunal Law were declared to facilitate under this law and in the case of anything contrary with above mentioned laws, the Town Planning Law is accepted as the supreme law. Furthermore, the Law clarifies that it is a criminal act to behave against the rules of this Law.
No. 55/1989 Environmental Law (21/2012)	This law regulates the sustainable use of the environment that is in the possession of common heritage of all citizens. Accordingly it introduces restrictions for the proper use of water and land resources, and is liable for preventing air pollution, etc.
Girne conservation and environmental plan (1992)	The first local plan put into action after the Town Planning Law which designates the periphery of Girne castle and Turkish quarter as conservation areas where new developments were limited with the regulatory decisions stated in the local plan
Cabinet decree regarding the village of Beylerbeyi (1992)	It aimed to control the development around the Beylerbeyi Monastery and protect this historical monument and its site being surrendered by new developments.
Girne white area scheme (1993) Amendments in 2003	It aims to include areas outside the Girne conservation and environment plan, the areas which remained within the limits of Girne municipality before 1974

Table 4.1. The Legislative Framework of Planning in Northern Cyprus (continues)

URBAN LEGISLATION FROM THE BRITISH PERIOD TO CURRENT TIMES	
LEGISLATION	GOAL
Alagadi environmental protection area scheme (1999)	It aims to protect breeding areas of caretta turtles along the coastal shores of Northern Cyprus.
No. 47/2000	It provides incentives to regions in need. This law works in conjunction with the government's yearly development plans, and intends to balance regional disparities throughout the state.
Municipalities Law (91/2009)	It clarifies the responsibilities of the municipalities.
Cabinet decree regarding the protection of the Karpaz area (Dipkarpaz, Yenierenköy, Yeşilköy, Ziyamet, Kumyalı, Derince, Sipahi, Gelincik, Kaleburnu, Boltaşlı, Kuruova, Avtepe, Taşlıca, Adaçay, Esenköy) -2004	It aims to protect the coastal line, agricultural areas, sand dunes, the national park, wild donkeys, breeding areas of the turtles, forests, local flora and fauna, natural resources, Apostolos Andreas monastery, Antique Karpasia Archeological Area, churches, antique cemeteries in the Karpaz region as it is under uncontrolled development due to its tourism potential.
Tatlısu-Büyükkonuk Area Scheme (2004)	It enforces the protection of forests and agricultural areas, natural, historical and cultural resources within the limits of Tatlısu, Mersinlik, Kaplıca and Büyükkonuk villages.
Cabinet decree regarding the protection of Girne - Boğaz Area (2006)	It enforces the protection of forests and agricultural areas, natural, historical and cultural resources within the limits of Ağırdağ, Boğazköy, Kömürcü, Pınarbaşı, Dağyolu, Göçeri, Yukarı Dikmen, Aşağı Dikmen , Aşağı Taşkent, Yukarı Taşkent
Cabinet decree regarding the protection of Bafra village (2006)	It aims to control the development in the area arising from tourism.
Cabinet decree regarding Area designated as 1 in Girne (2005) This cabinet decision is specifically applicable to settlements of Sadrazamköy, Koruçam, Akdeniz, Tepebaşı, Çamlıbel, Geçitköy and Kayalar located along the north-west coast within the periphery of the University of ODTU. This enforcement decision remains in force until the relevant body prepares a local area scheme.	It aims to protect natural and architectural heritage of the area from uncontrolled development to be raised by the existence of the University. It signifies the importance of keeping a balance between the individual property rights and public benefit. It advocates the wise use of coastal lines and states that the coastline within 100 meters distance to the sea should be protected; gives permission to the construction of buildings with public use. It highlights citizens' right to benefit from a healthy and balanced environment. The cabinet decree includes; - The development decisions (supported with 1:25000 maps) regarding the development area or the priority development area, the village core, village development area, new development area, rural development area and coastal line. - The administrative borders of the seven villages referred. - Public access to the relevant documents from the TPD and Girne municipality.

Table 4.1. The Legislative Framework of Planning in Northern Cyprus (continues)

URBAN LEGISLATION FROM THE BRITISH PERIOD TO CURRENT TIMES	
LEGISLATION	GOAL
<p>Cabinet decree regarding Area designated as 1 in Girne (2005)</p> <p>This cabinet decision is specifically applicable to settlements of Sadrazamköy, Koruçam, Akdeniz, Tepebaşı, Çamlıbel, Geçitköy and Kayalar located along the north-west coast within the periphery of the University of ODTU.</p>	<p>Under Article 3, it states that this decision will be implemented in line with the Environment Law, Forests Law, Town Planning Law and Antiquities Law. Under Article 11 of the Town Planning Law, this enforcement decision is obliged to</p> <ul style="list-style-type: none"> - Protect the ecological balance, rich natural resources and historical and cultural heritage - Prevent loss of green areas, flora and aesthetic values - Control tourism and residential investments for the conservation of historical and cultural values in need to sustain a controlled development - Make sure that any residential, tourism and agricultural development or activity is realized for the public benefit whilst protecting natural, historical and cultural resources of the region and sustaining the economic and social development of local people - Assist the creation of healthy, functional, fair, economical, safe and human scale environments in line with the region's local identity. <p>Rules and Provisions applicable for the priority planning zone, the planning zone and the area in between.</p> <ul style="list-style-type: none"> - Forest and agricultural areas, proposed areas with significant environmental value, coastal lines and sand dunes within the referred zone as 'in between' cannot be used for any kind of development other than specific uses proposed by this regulation. - In line with the above article, cutting of trees, development in the picnic areas, and planting of trees which are not in harmony with the existing natural landscape are forbidden as also cited by the Forest law - In the zones designated as agricultural development areas, buildings of specific agricultural use; and roads may only be built with the permission of the department of agriculture and geology and mining office. - In the coastal line, no development is allowed apart from pedestrian walkways. - In the areas designated as environmentally vulnerable, the principle is to protect the ecological balance and natural heritage as indicated in the environment law, and with the insight of the department of environment. <p>The sand dune areas cannot be subject to any sort of building activity. However, in case of their restoration, plantation may be allowed with the permission of the environmental protection office.</p>

Table 4.1. The Legislative Framework of Planning in Northern Cyprus (continues)

<p>Cabinet decision regarding Area designated as 1 in Girne (2005) This cabinet decision is specifically applicable to settlements of Sadrazamköy, Koruçam, Akdeniz, Tepebaşı, Çamlıbel, Geçitköy and Kayalar located along the north-west coast within the periphery of the University of ODTU.</p>	<ul style="list-style-type: none"> - Within the area designated as the ‘village core’, new development area and village development area, any activity related to animal husbandry, storage of radioactive and other chemical materials, mining, any sort of industrial activity, night clubs, casinos and related entertainment activities are discouraged by this law. - In the village core, building permission is given to tourism related activities such as restaurants, coffee shops, bars, etc. Houses might be restored to serve such functions. - Tourism related activities are specifically supported in the village of Akdeniz which is designated as a tourism development area. - Within the area designated as the rural development area, all activities other than petrol stations, storages for agricultural use, infrastructure and car parking are not permitted. - In Akdeniz rural development area, all activities related to tourism are supported. - Along the coastal lines, if the TPD permits, WCs, showers, pedestrian walkways, and other activities which support the use of the seashore may be allowed. - For each area, the regulation specifies the maximum building heights, car parking requirement, etc. Developments are restricted to max 2 levels, and only 20% of the land may be used for any building activity. - Residential or tourism related gated communities may be allowed if they consider this development as an urban design project taking into consideration all aspects of design such as infrastructure, green areas, public spaces, etc. in their overall design. - Any development within the area of a listed building or site may only be realized according to the Article 3 of the Antiquities Law. - Developments within the areas containing marshy areas, natural water reservoirs, etc. which in the environmentally vulnerable areas are designated as high, medium, low may only be allowed with the permission of the Department of Environment. -Village development area, rural areas and agricultural development areas are designated for agricultural use with the permission of the geology and mining office. -Industrial developments regarding agriculture and animal husbandry in the rural development areas may be allowed if the department of environment, industrial office and other relevant bodies allow such a development. <p>Any developments within the designated areas are considered in conjunction with this law and street and building regulations law.</p>
<p>Renewable Energy Law (2011)</p>	
<p>Tourism Development Law (2011)</p>	

Although the TPD has worked on local plans regarding Lefkoşa, Mağusa, Girne, Lefke city centre and Güzelyurt, only Lefkoşa Master plan has been implemented. The Master Plan was a bi-communal project that brought Turkish and Greek Cypriot professionals together under the auspices of the UNDP; and was implemented in a piecemeal approach in between 1984 and 1986 due to the inexistence of a town planning law. As the Law 55/1989 was not yet present, primary decisions were taken according to the Street and Building Regulations Law. Regarding uses other than housing, a zoning plan was prepared taking all industrial facilities outside the city centre of Lefkoşa, where an administrative centre and fair area was designated. Within the framework of the Master plan there exists Priority Area Schemes such as the preservation of historic city core of Nicosia, Rehabilitation of the Girne Avenue, Arasta pedestrianization scheme, Arabahmet Conservation and Rehabilitation schemes.

Girne conservation and environmental plan which was put into action in 1993 has the significance of being the first local plan put into action after the 55/1989 Town Planning Law. According to this plan, the periphery of Girne castle and Turkish quarter are designated as conservation areas where all sorts of new developments are required to meet the requirements of the local plan.

Aftermath a cabinet decree was taken regarding the village of Beylerbeyi (1992) to control the development around the Beylerbeyi monastery. Girne White Area scheme was published in 1993 to include areas outside the Girne conservation and environment plan. This was followed by the Alagadi environmental protection area scheme in 1999, directed towards the protection of caretta turtles along the coastal shore. In 2004, regulatory decisions were taken regarding the development of the Karpas peninsula area. The plan comprises the protection of the coastal line,

forest areas, agricultural areas and wild life such as the donkeys and caretta turtles, protection of St. Andreas Monastery and archaeological sites from the consequences of tourism development; and aims to prevent unsustainable development along 15 villages from Mağusa to Karpaz. Then, follows Tatlısu-Büyükkonuk Area Scheme which enforces the protection of forests and agricultural areas, natural, historical and cultural resources within the limits of Tatlısu, Mersinlik, Kaplıca and Büyükkonuk villages (2004). The tourism development within the village of Bafra and its adjacent environment has also been restricted with a cabinet decision published in June 2006.

Following the same year, the Ministry of Interior and Local Administrations has initiated further action to control the development along Girne and Boğaz strip including the settlements of Ağırdağ, Boğazköy, Kömürcü, Pınarbaşı, Dağyolu, Göçeri, Yukarı Dikmen, Aşağı Dikmen, Aşağı Taşkent, and Yukarı Taşkent. The vast development in Girne area has now been limited by three cabinet decrees comprising the villages of Akdeniz-Tepebaşı-Çamlıbel-Koruçam-Geçitköy-Kayalar and Sadrazamköy; and the villages along Karşıyaka and Bahçeli. The extensive mining activities along the Beşparmak Mountains were taken under control by another cabinet decree taken towards the protection of underground water supplies along the Beşparmak Mountains (2006).

The above cabinet decrees generally aim to protect the natural and cultural heritage of the island by designation of separate areas for tourism development and coastal lines, agricultural areas and villages. These plans highlight areas that require to be protected because of their natural or cultural characteristics. They bring limitation to the building activity in order to protect the loss of agricultural lands, yet also allocate land for tourism development wherever possible. Besides, the

surrounding environments, the development in most villages are also controlled in order to protect the characteristics of that particular settlement.

Although there has been enormous effort to control the development along the coastlines, villages and urban centres since the announcement of the 'Annan Plan', the cabinet decrees produced by the TPD are not visionary and site specific as local plans. They only act as precautionary measures for controlling unwanted developments however hold the danger of producing homogenous environments. The cabinet decree for Karpaz for example is supported by governmental and other financial instruments. The US and EU funded projects have supported small scale development projects and establishment of NGOs along that region. Moreover, a rural development strategy for the region has been developed with the support of the EU funds and technical aid. The Development Bank of Northern Cyprus has also appointed the region as a priority area for sustainable schemes such as agro-tourism. Yet, there are also disappointing decisions such as the allocation of a large scale project in Bafra, just before the publication of Bafra cabinet decree that inhibited the construction of high rise and large scale projects. Similarly, there are several cases in Nicosia and Kyrenia where exemption has been permitted. These are cases that destroy the confidence amongst civil society and disapprove of democracy and equity that the constitution has established.

The Town Planning Law which is prepared to guide development in Northern Cyprus orders the preparation of a three-tier hierarchy of Development Plans (Fig. 4.1). The first rank plan is the National Physical Plan, which refers to the territory of Northern Cyprus and regional allocation of resources and development opportunities. The National physical plan is the planning instrument for socio-economic development of the entire area of Northern Cyprus and the Minister of Interior and

Local Administrations is responsible for its preparation where development plans of the State is taken into account during its making. The Local Plan at the second rank refers to key urban areas or areas going through concentrated development pressures and rapid changes and is usually prepared in consultation with the relevant municipality; whereas the Priority Area Scheme at the lower end of the hierarchy refers to areas which are experiencing intensive problems. In its preparation process if necessary the Department of Environment or/and Department of Antiquities are also consulted (scordispapapetrou.com).

The following section focuses on the Town Planning Law of Northern Cyprus where there is an attempt to understand the general structure of the document and how it works in practice.

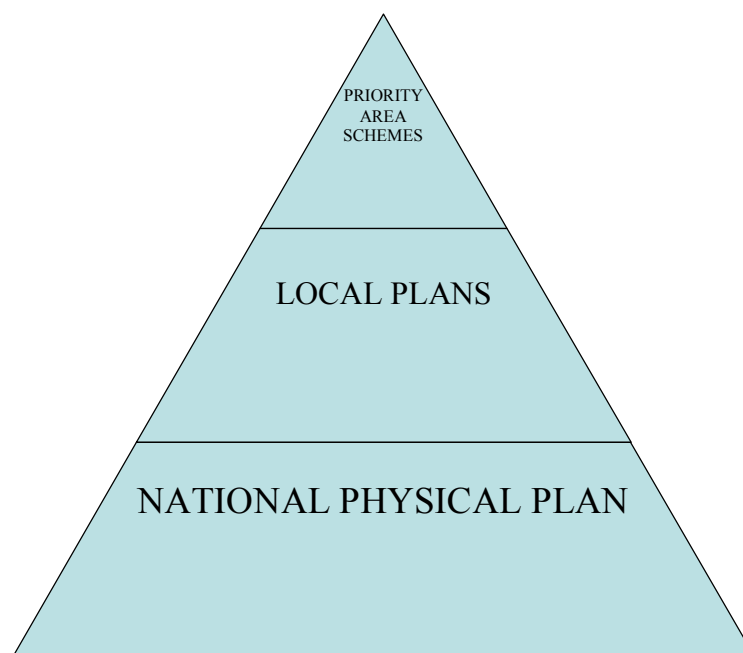


Figure 4.1. The Three-Tier Hierarchy of Development Plans

4.3 An Overview of the Town Planning Law

The Town Planning Law of Northern Cyprus (55/89) was prepared by the TPD of the Turkish Republic of Northern Cyprus (TRNC) and enacted by the Parliament of the TRNC in 1989 to plan and control the development of the territory of Northern Cyprus as required by the article 134 of the constitution of the TRNC.

The first chapter of the document introduces the structural outline and the basic terminology used. The following chapter enforces the making of a national physical plan; describes its aims and scope; how it will be enacted and scrutinized in years to follow. The third chapter focuses on the way local (master) and environmental plans should be produced; and this is pursued by the issue of how building and planning permission should be given; the description of the development and planned development.

In the document, the 55/89 Law is accepted as the supreme law; and this is specifically highlighted during the description of what development is and how it will be managed in relation to the other laws. The text is also very clear when it comes to the delicate issue of who the authorized body is for the making of plans and giving planning permissions. All of these responsibilities are delegated to the TPD keeping local authorities such as municipalities out of the circle by not giving them any responsibility regarding the controlling of development or making of plans within their borders. For example, if there is a request for planning approval regarding the conversion of a housing unit into a commercial function in a residential district, the responsible body for giving planning permission is stated as the TPD. Yet, these two authorities may work in cooperation with the TPD during the making of local (master) plans. As the sole authority, the TPD has the right to decline an application for the planning permission, or may permit development according to

certain rules set out in the Law. However, people who are negatively affected by a declined application may delegate the issue to the minister or the mayor of the relevant area for further consideration. Then, the minister and mayor passes on their views to the TPD for re-evaluation of the relevant issue. However, the final word belongs to the TPD as the main authoritative body.

The fifth chapter is dedicated to the conservation of historical buildings and sites. This section gives the TPD the duty to list buildings with historical significance, yet advises to execute this act in cooperation with the Antiquities Department and present it to the Higher Authority of Monuments for further approval. Yet, there is no specific article in this section regarding the conservation of sites with historical significance (Doratli, 2000) but reference is given to the controlling of development regarding the conservation areas. The TPD is required to take into consideration the listing of historical buildings whilst giving planning approval.

The sixth chapter is devoted to expressing the circumstances if individuals do not conform to the rules and regulations set out by the Town Planning Law. This section includes any act against conservation of listed buildings, development without any planning permission, etc. It is made clear that policy makers can also be held responsible for not complying with the rules stated in the document.

The seventh chapter automatically proclaims the historic cities of Famagusta, Nicosia and Kyrenia as conservation areas with the enactment of the Town Planning Law. Furthermore, with this Law, the duties and responsibilities of the municipalities regarding giving of building permissions is clarified.

The general structure and content of the 55/89 law indicates that there is a very centralized planning system in Northern Cyprus where almost no planning

consent is given to the local authorities. However, it clearly underlines the fact that all the responsibilities regarding the making of plans, delivery of planning permissions and controlling of development within Northern Cyprus is delegated to the TPD.

The TPD is the sole liable authority for the preparation and upgrading of national physical plan as well as local (master) plans for the major cities where development is taking place. However, it is stated that this should be constructed on sound data considering the available resources of the state, sectoral goals specified in the development plans, and other relevant environmental data. During the preparation of the national physical plan, the TPD is expected to work in coordination with other sectors and governmental organizations. The national physical plan should comprise future visions regarding the territory of Northern Cyprus and should be prepared maximum within the two years of the declaration of this Law. Considering that the first draft of national physical plan has just been released, it has taken more than twenty year to complete this task.

As far as the local (master) plans are considered, the TPD prepares the local plan in cooperation with the relevant municipality. Proposals should be made explicit to public for any views. They should be prepared for a period of twenty years. The award winning Nicosia Master Plan was released in 1984 prior to the enactment of this Law.

Priority area schemes or cabinet decrees on the other hand are plans prepared for areas that experience intensive problems due to overdevelopment. The TPD is expected to prepare priority area schemes for regions which are in need of urgent action.

Environmental plans are prepared for areas that have environmental, historical, architectural and touristic importance, and yet face urban problems.

Furthermore, the TPD can assign planning and development borders, list historical buildings of significance and allocate conservation areas.

With this law, planners who are registered to the Union of Town Planners / the Union of Chamber of Engineers and Architect and/or architects working under the supervision of town planners are authorized as responsible professionals from the making of plans.

Considering that the Town Planning Law was structured on the grounds of the 1970s British legislation and tailored to suit to the needs of the new Republic in 1980s, together with the cooperation of professionals from Northern Cyprus and Turkey, it has managed to steer urban development for more than three decades. However, in line with the influence of the EU, now there is a demand for change so that European standards relating to spatial planning can be grasped. As a means of this goal, the fifth chapter will be looking at to what degree the Town Planning Law of Northern Cyprus conforms to the ESDP guidelines.

Yet, prior to moving on to the analysis of the Town Planning Law, the research explores the existing urban trends within the perspective of the current planning approach, trying to understand the relationship in between them. As understood from previous discussions, the current planning system is constructed on statutory planning tools that actually contribute to the continuity of existing urban problems.

4.4 Existing Urban Trends versus the Planning Approach

Cyprus can be viewed as a land of large and small interrelated urban and rural settlements, separated by vast agricultural lands in between the two major mountain

ranges, the Trodos and the Kyrenia Mountains. As an island, it enjoys the opportunities of possessing both flat and mountainous areas as well as a coastline, intermingled by a rich historical background. Its strengths lie within the potentials it possesses, its rich architectural heritage, rural and coastal settlements which comprise outstanding landscapes and biological diversity.

Northern Cyprus covering an area of 3,355 km² is composed of three major cities, the capital city of Nicosia located at the inner land; Famagusta and Kyrenia placed along the coast; and other mountain and coastal settlements mainly positioned on the Kyrenia mountain range and north and east coast respectively.

It is somehow difficult to compare the Cypriot urban settlements with their major European counterparts, since they are smaller in size, both in area and in population. That is what makes Cyprus unique and gives the place its special status as an island state/economy.

Besides such unique characteristics pending to its size and location, Cyprus is also well known by the infamous Cyprus problem that had a major impact on its urban development pattern. Following the division of the Island in 1974 into two separate regions, the Turkish Cypriot administration had to authenticate her status as a new entity within the borders set out as Northern Cyprus, called the Federated State of Northern Cyprus. Although the Turkish Cypriot administration is recognised as a state only by the Republic of Turkey after the proclamation of the Turkish Republic of Northern Cyprus in 1983, it is widely accepted as the de facto administration of North Cyprus. As expected, this new formation was coupled with a new government and an institutional context. In line with the emerging administrative structure, and the housing and rehabilitation department and later the planning and construction

office was formed urgently to house the displaced Turkish Cypriots who were affected by the physical division and destructions of the war.

As a result of the resettlement program carried out under the Housing, Allocation of Land and Property of Equal Value Law (41/1977-also known as the ITEM law) most of the Turkish Cypriot refugees originally living in towns and cities were placed in houses previously occupied by Greek Cypriots in the urban areas of Girne, Güzelyurt, and Mağusa. Immigrants from Turkey and Southern Cyprus who mostly dealt with agriculture were largely settled in villages. Resettlement was an extensive process that directly involved about two-thirds of the Turkish Cypriot population and a considerable amount of Turkish population from Turkey.

Whilst in 1960 nearly half of all Turkish Cypriots were employed in the agriculture sector, after the resettlement program, by 1990 this sector accounted for well under a third of the work force, while about half of economically active Turkish Cypriots earned their livelihoods in the service sector and one-fifth in construction and industry. Except for agricultural work, most employment was in urban areas (Hatay, 2005).

Despite the marked decline in agricultural employment, at the end of the 1980s, almost 50% percent of Turkish Cypriots still lived in areas classified as rural. Urbanization was not as extensive as suggested by employment figures. This was due to the small size of the TRNC. Many of those who worked in urban areas were able to remain in their villages because the distance between most villages and urban centres was less than an hour's drive by car. Workers did not migrate to areas of employment, but instead travelled.

Today, the economy of the TRNC is largely dominated by the services sector including the public sector, trade, tourism and education, with smaller agriculture

and light manufacturing sectors. The economy operates on a free-market basis, although it continues to be handicapped by the political isolation of Turkish Cypriots, the lack of private and governmental investment, high freight costs, and shortages of skilled labour. Despite these constraints, the Turkish Cypriot economy turned in an impressive performance in 2003 and 2004, with growth rates of 9.6% and 11.4% (SPO, 2004). Over the same period, per capita income almost doubled. This growth has been buoyed by the relative stability of the Turkish Lira and by a boom in the education and construction sectors. This economic boom was surely closely related to the impetus caught by the infamous Annan Plan that shortly rejuvenated the local economy but soon after ended up with the liquidation of many firms in the private sector.

Yet, this was only one side of the medallion; the biggest damage caused to the natural environment in Northern Cyprus was the construction boom associated with the Annan Plan. Coastal cities of Girne and Magusa have largely suffered from the consequences of the economic boom where large investments were dispensed into the housing and tourism sector. Due to lack of local area plans, these new developments were mostly carried out according to the Street and Building Regulations law that existed since 1946. Although this law was revised several times to adapt to the needs of the changing times, it mainly served as a document to regulate the prudent construction of buildings and roads. As a planning document, it offered very vague solutions at local, regional or city scale, making every plot of land with electricity, water and access to public transportation eligible for any kind of development.

The Annan Plan was of course associated with the most intricate issue of the Cyprus problem: the property rights. Gürel and Özersay (2006) also underline the

property issue as the most controversial aspect of the Cyprus problem, owing to the diverse legal, economic and social complexities. The political disputes over the land issue still remain a major challenge for the government of Northern Cyprus as well as authorities responsible for planning. According to a minority group, who refused to be allocated any properties by the ITEM Law, the land issue is also an ethical problem. These on-going disputes over the property issues stand as a major deficit of the planning system, as it prevents the making of future plans regarding the territory of Northern Cyprus.

Coming back to the topic of urban development in the Northern part of the island it is worth going back to earlier decades to develop an entire understanding of the problems.

Before the Second World War till the establishment of Republic of Cyprus in 1960, the administrative, commercial and cultural activities concentrated within central areas of towns whereas the development of towns towards the periphery was relatively slow. Yet, after the post-war economic boom, especially in the case of Nicosia, the rapid economic growth gave rise to immigration especially at the aftermath of the division of the island in 1974. This built up the pressure especially in coastal areas; and towns grew towards the suburbs along the main road arteries away from the centre. The deficiency of appropriate planning legislation and a development control system legalized the mixing of incompatible uses and activities, creating conditions that still reduce the quality of life in most urban areas today (Oktay, 2007).

The compilation of economic resources to urban centres encouraged the development of radial (in the case of Nicosia) or fan-shaped (in the case of some coastal towns) plan layouts (<http://www.moi.gov.cy>). The spreading of employment

opportunities and residential areas in urban areas mostly concentrated along major transportation arteries, seriously restricting their carrying capacity and giving rise to significant congestion problems, since it was not supported by the necessary road infrastructure improvements. (Oktay, 2007, p.193) indicates that these new developments occurring at the periphery of the historic city centres lacked any association with the traditional architecture or urban pattern of the old quarters, therefore causing physical and functional obsolescence in the existing structure. According to Doratli (2002) it is the physical and functional obsolescence that reduces the competitiveness of an historic urban quarter against newly developing districts, and accordingly pushing the development dynamics in the area towards static or declining states as experienced in the case of Nicosia and Famagusta.

The division of the island in 1974 accelerated these urban problems by increasing the population in most urban areas by 30% almost overnight with far-reaching consequences. Although existing housing stock was used to provide accommodation for Turkish Cypriot refugees and Turkish immigrants, nonetheless the need for more housing at the outskirts of urban centres was fulfilled without any planning decisions.

Until the mid 1980's, most of the cities and towns of Northern Cyprus suffered from the scattering of subdivided plots and isolated and half completed residential units. Yet, general economic conditions and real estate market trends contributed to this trend so that, prior to the enactment of the Town and Country Planning Law in 1989, it had become characteristic of the urban landscape. Moreover, land fragmentation remained a significant obstruction to the planning and implementation of comprehensive projects.

The lack of effective planning legislation up to 1990, coupled with a high demand for investment in real estate and the preservation of land for either future use or purely speculative reasons, have created conditions which contributed to the degradation of the quality of life through urban sprawl, the building up of large proportions of vacant plots in central areas and the mixing of incompatible uses.

Existing patterns of economic activity often caused land use conflicts, giving rise to traffic, and environmental problems, especially in residential areas. In addition, workshop, retail and office space constructed for provisional reasons remains to a great extent vacant or underused, thus intensifying existing problems.

The insufficient public transportation network-presumably due to the existence of ill planned routes connecting suburban areas to town centres as well as the prevalence of heavy traffic –contributes to the use of the private cars leading to road congestion and more carbon dioxide emissions. There is also a shortage of public open spaces in all major urban areas. Although the existing ones are upgraded now and then by the relevant municipalities, they are not distributed evenly or managed properly in general. The greatest challenge facing the government regarding proclamation of lands for public use is the reducing number of state owned lands.

To sum up, major challenges negatively affecting the development of the territory of Northern Cyprus include the continuing physical division of the island and the persistence of a dividing line, the decline of historic urban centres, the gradual neglecting of rural settlements, continued urban sprawl, lack of nature protection and loss of agricultural lands. These problems especially manifest themselves at the urban periphery, where new development continually impinges on prime agricultural land and areas rich in natural and cultural resources. Pressures on

land development for holiday homes or secondary homes for middle-income people escaping from the city centres complicate this situation further.

Furthermore, similar to many geographies and cultures in the EU which suffer from the current global crises, Northern Cyprus and Turkish Cypriots are now experiencing a deteriorating quality of life due to general socio-economic and environmental conditions which surely are closely related to the political and spatial decisions taken at a higher level. For example, the Municipality crises experienced at the capital city this year, Nicosia, has had a detrimental effect on the environment especially in the inner city, putting citizens' health and safety in risk and perhaps leading to further problems. Similarly, poor transport planning as well as lack of infrastructure are causing more urban problems and leading to declining environments. Increased dependence on car use for example is not only leading to air pollution but to land use segregation as well, causing changes at the spatial structure of cities. Unquestionably, another serious cause of urban problems is unemployment and underemployment. This is affecting the market oriented economy noticeably by leading to the diminishing of some sectors and therefore creating a negative impact on the social and cultural structure of settlements. In order to be able to tackle with these rising problems, draw investments to enhance the local economy and help toward the wise management of resources, an appropriate urban planning approach is required to improve the quality of life and well being of the citizens. The existing rigid planning system coupled with the political turmoil is not helping toward providing appropriate solutions for these problems yet causing an increase in their intensity.

Additionally, Cyprus faces a unique form of isolation due to its island status. The lack of physical ties to the European continent and other neighbouring states

greatly influences the transport of goods and people, thus causing a hindrance to the internal market and to the island economy in general.

Considering all of these issues discussed, as well as the dominating land-use planning system inherited from the British period and strengthened by the planning trends of the Republic of Turkey, it is not necessarily an easy job constructing a new administrative structure to manage urban affairs. After all, the urban planning system of Northern Cyprus is as young as the Turkish Republic of Northern Cyprus and systems can only attain success through continuous evaluation of their failures coming from their past. Being a considerably short duration for the formation of a deep rooted tradition, the process was of course further disrupted by the side effects of the Cyprus problem, political stagnation and lack of sufficient professionals and institutions relating to planning. Inheriting the land code approach from the Ottoman Empire and the strong land use planning approach from the British Colonial period and Turkish Republic, Turkish Cypriot elites proud of their roots and ancestors failed to display a strong will for change. With the growing education sector and the establishment of Architecture Schools in Northern Cyprus, the urbanism tradition has even strengthened further, passing on the discourse of planning to the responsibility of increasing number of architects.

Yet, when most of the problems discussed above are considered, Cyprus is not alone. As the Greek planner Giannakourou (1998, 2005) indicates most of the Southern European countries including Cyprus suffer from the urbanism tradition where planning regulation is mainly undertaken through rigid zoning and statutory plans, while laws at the regulatory level are numerous, substantive and detailed. However,—and this is one of the overriding characteristics of Mediterranean planning—an important gap exists between established plans and reality.

Spontaneous urban development and especially unlawful building is one of the major pathologies of many of the Southern European countries (CEC, 1999a, pp. 76–77). The ‘therapy’ against informal practices is usually searched for in the intensification of regulatory mechanisms and penalties (CEC, 2000b, p. 27). However, it should be noted that the presence of a dominant judicial system which includes a lot of administrative procedures, rules and standards is inflexible. Naturally, when it is combined with the traditions, skills and attitudes of professionals operating the system, it becomes really burdensome to initiate change. Yet, any administrative and judicial system must be capable of being modified to meet new circumstances through legislation and other statutory instruments.

The entry of Cyprus to the EU in 2004 and granting of financial and technical aid to Northern Cyprus has created a ground for these new circumstances where the growing influence of the European spatial planning policies started exerting a pressure on the planning legislation of Northern Cyprus. The next sub chapter is dedicated to understanding the impact of the EU on Northern Cyprus.

4.5 The Impact of the European Union on the planning system of Northern Cyprus

The interaction with the EU is rooted on the European Council decision given at Helsinki meeting in December 1999. Accordingly, it was decided that a political settlement would not be a precondition to the entry of Cyprus to the European Union. Following this decision, the European Council decided in Copenhagen in December 2002 that Cyprus would be accepted as a new EU Member State (Court of Auditors, 2012, p.7). This resolution alerted the coalition government of the time, left-of-centre *Cumhuriyetçi Türk Partisi* (CTP) and the centre-right *Demokrat Parti* (DP), to put a

tremendous effort toward the entry of Cyprus to the EU as a whole. The biggest step taken towards this goal was the easing of the travel restrictions across the dividing line in April 2003. This was a historic development which brought Turkish Cypriot Community Representatives and senior officials of the European institutions together; paving the way for the establishment of the European Union Coordination Centre under the Prime Minister's Office in June 2003. This new administrative body was formed to undertake the responsibility for coordinating, organizing and monitoring all the contacts and connections made or to be made (with both TAIEX (Technical Assistance and Information Exchange) under the European Commission Directorate General for Enlargement, and other EU Institutions and their collaborates such as United Nations Development Programme – Project for Future (UNDP- PFF) [<http://www.eucoordination.org>]. This was pursued by the Referendum of the United Nations in April 2004 to reconcile the two communities on a common resolution prior to the entry of Cyprus to the EU in May 2004. However, the efforts of the UN-Secretary General Kofi Annan ended in failure after the refusal of the infamous Annan plan by the Greek Cypriots.

Although Republic of Cyprus has been accepted to the EU on May 1st 2004 without the inclusion of Northern Cyprus, Turkish Cypriots' positive approach has triggered the compassion of the international community making many politicians and bureaucrats in the EU, UN and the US appreciate the efforts of the Turkish Cypriots in the process. For example, the UN Secretary-General (UNSG) Kofi Annan, in his report to the Security Council on 28 May 2004 indicates the need to lift all the restrictions on the Turkish Cypriot community (www.cypruspolicycenter.org).

Following this event, in October 2004, the Council of Europe Parliamentary Assembly invited two Turkish Cypriot members, giving them the right to speak but

not to vote (www.cypriot.org.uk). Following the positive attitude of the Turkish Cypriot citizens in the Referendum regarding a permanent UN solution to the island, The EU's General Affairs Council (foreign ministers) requested the European Commission to draft two proposals, on aid and trade respectively, to improve the position of the Turkish Cypriots; while the aid regulation was finally adopted in February 2006, the proposed trade regulation for now remains unresolved (www.cypriot.org.uk).

In line with the approval of a legal instrument, the Aid Regulation (Council Regulation No 389/2006) accepted by the European Council on 27 February 2006, a Task Force was established to promote the enhancement of Turkish Cypriot community. Following this development, the European Union Programme Support Office was formed and started realizing the general objectives of the EU. These included providing technical assistance to support legal transposition as well as implementation of the *acquis communautaire* through the Technical Assistance and Information Exchange Instrument (TAIEX). Upon requests from beneficiaries, TAIEX provides support regarding the preparation of legislations as well as the know-how on their management, execution and enforcement.

A total of 259 million Euros has been granted to upgrade the economic development of the Turkish Cypriot Community, with particular importance on alignment with EU legislation and policies, social and economic development, and development of infrastructure (gopher.info.usaid.gov). Undoubtedly, the allocation of funding was structured upon the general objectives and principles set by the EU (see Table 4.2.).

Table 4.2. Financial Allocations by Objective (European Court of Editors, 2012)

(million euro)	Planned	% of total planned	Contracted	Paid	% paid of total contracted
Objective 1 Developing and restructuring of infrastructure	129,25	44,2%	135,02	76,49	56,6%
Objective 2 Promoting social and economic development	84,65	29,0%	64,87	49,41	76,2%
Objective 3 Fostering reconciliation, confidence-building measures and support to civil society	23,50	8,0%	19,90	17,61	88,5%
Objective 4 Bringing the Turkish Cypriot community closer to the EU	12,50	4,3%	8,62	7,49	87,0%
Objective 5* Preparing the Turkish Cypriot community to introduce and implement the <i>acquis communautaire</i> and unallocated TA and Programme Reserve facility	21,35	7,3%	15,69	14,15	90,2%
Subtotal - Operational part	271,25	92,8%	244,10	165,15	67,7%
Management (Staff and Missions), Logistics	21,05	7,2%	15,30	13,64	1,2%
Total	292,30	100%	259,40	178,79	68,9%

*Objective 5' here includes Unallocated Technical Assistance and Programme Reserve Facility to which 1,74 million euro has been allocated.

These have been identified as development and restructuring of infrastructure, promotion of social and economic development, fostering of reconciliation, confidence-building measures and support to civil society, bringing the Turkish Cypriot community closer to the EU and preparation for the *acquis communautaire* (European Court of Auditors, 2012, ec.europa.eu).

Considering the implementation of Objective 1, the target was to provide support to the development and restructuring of the telecommunications infrastructure in order to bring the telecommunications sector in the Northern part of Cyprus into line with EU standards in accordance with the *acquis communautaire*. Although the telecommunications office was supported by new technical equipment, restructuring of the sector were met by strike action and demonstrations by the Telecommunications workers. Regrettably, the implementation of the largest project

concerning the desalination of sea water was also interrupted by the property rights issue of the Cyprus problem where consent was required for EU-funded infrastructure investments on Greek owned lands. Therefore, the Commission, despite considerable efforts, did not effectively manage the implementation risks for the 27, 5 million euro contract for the construction of a seawater desalination plant in Kumköy (European Court of Auditors, 2012, p.16, ec.europa.eu). However, two smaller water infrastructure projects in Nicosia were put into action.

As far as the Objective 2, the promotion of social and economic development, was concerned, the main target of the EU was to improve the rural areas by creating a rural development plan so that new investments can be done according to EU norms and standards -EU Leader programme-. This has benefited more than 200 individual farmers, enabling them to upgrade their operating facilities and move closer to EU standards. Additionally, almost 40 community development aids have been granted to local agencies and non-governmental organisations. Another EU measure was supporting the modernisation of local and urban infrastructure projected towards revitalising the northern part of Cyprus through the opening of new crossing points on the Green Line (European Court of Auditors, 2012, p.21, ec.europa.eu).

The third Objective concentrated on the promotion of mutual understanding, and confidence-building between the two communities; and support to civil society. In line with this measure, support has been provided to the Joint Committee on Missing Cyprus in need to contribute to the development of a resolution between the Greek Cypriot and the Turkish Cypriot communities. The Commission also used the tool to finance seminars organised by the Council of Europe Academy of Political Studies to give both Turkish Cypriot and Greek Cypriot participants a better perspective of the common challenges waiting for them in the future. ‘Civil Society

in Action' and 'Civil Society Support Team' programmes were initiated with the target of strengthening civil society organisations and the development of a civil society culture in the Turkish Cypriot community. EU assistance has also contributed towards demining activities in Cyprus which cleared almost all minefields in the buffer zone (European Court of Auditors, 2012, ec.europa.eu).

Under Objective 4, bringing the Turkish Cypriot community closer to the EU, a scholarship programme was launched for Turkish Cypriot university students and teachers to experience studying and living in Europe (European Court of Auditors, 2012, p.21, ec.europa.eu).

As far as Objective 5, the preparation for the *acquis communautaire*, technical assistance and equipment is considered; it was delivered to help monitoring of the air quality project. Additionally, a new 'environmental law' which complies with EU legislation has been adopted (European Court of Auditors, 2012).

Considering the topic of urban planning, assistance from the TAIEX programme was received for the preparation of the national physical plan. However, this technical assistance remained limited in capacity and has not really helped the administrative staff build skills and knowledge on European spatial planning issues. Whilst the Department of Town Planning and Housing in Southern Cyprus benefited largely by becoming part of the continuing process regarding European Spatial Planning issues, the TPD of Northern Cyprus has only managed to construct a contact through the TAIEX programme of the EU, receiving technical aid for the making of the national physical plan and preparation of a strategic document regarding the sustainable urban development of Northern Cyprus.

The Department of Town Planning and Housing in Southern Cyprus on the other hand –contrary to TRNC planning officials- benefits from the situation by

building cooperations with the EU planning agencies. Accordingly, the Greek Town Planning department is the representative of Cyprus in the Council of Europe's Cultural Heritage Committee (CD-PAT), the European Conference of Ministers Responsible for Spatial Planning (CEMAT) and the European Landscape Convention, promoting the protection, management and planning of landscapes, as well as the Human Settlements Committee of the UN's Economic Commission for Europe. Within the framework of CD-PAT, the Department contributes to the European Heritage Network (HEREIN), while it also participates in the European Dry Stone Network (REPS) within the framework of Community initiative INTERREG III/C. With the accession of Cyprus to the EU, the Department of Town Planning and Housing has also become a full member of the European Spatial Planning Observatory Network (ESPON), a very important agency for European Urban research. It is also a partner of the European Urban Knowledge Network and benefits from community initiatives relating to urban programmes. (<http://www.eukn.org/cyprus/urban/planning/index.html>, www.cyprusnet.com). This has surely been a very important step towards the Europeanization of the Greek planning institutions, legislation as well as practices. However, as far as the Turkish TPD is considered, one of the missed opportunities has been joining to European planning networks to become part of the development process of the EU spatial planning. It is very unlikely that this shall be possible in the near future due to the Greek protests and campaigns.

Similarly, one of the most important handicaps in the delivery of the EU aid to Northern Cyprus has been the Greek Cypriot Government's continual protest over the TRNC government relating to property issues. Due to the political role of the Greek government at the international arena, the central government agencies of the

TRNC experienced a lot of difficulties towards the receipt of the EU funds. Instead the aid has been targeted more towards the individuals, SMEs, NGOs and local administrations such as municipalities. The recent events however show that funds which have been raised on individuals and NGOs can have an indirect, yet, a significant impact on planning issues.

For example, the most recent incident regarding the urban affairs has been the protest against the widening of the old country road leading from Dipkarpaz to Apostolos Andreas Monastery to facilitate a techno music festival to take place at the unspoilt Golden Sands beach in September this year. Head of the Society for the Protection of the Karpaz National Park, Umut Akcil, has specified that the Karpasia SEPA (Special Environmental Protection Area) is under direct threat because of this act as hundreds of carob, olive and juniper trees are being torn down for the road construction where two hillsides in the area - highlighted by the EU's Natura 2000 project as important nesting sites for migratory birds- has also been flattened. Apparently the local residents reacted negatively towards the environmental activists who were against the construction of the motorway since they were given promises about improvements to their quality of life and development for the area. Akcil on the other hand claims that the locals were unable to realise that protection of the natural heritage they are surrounded by, is their best available tool for long-term economic development that will give rise to sustainable development (www.cyprus-mail.com).

On the other hand, the 'Local Development Strategy for the Karpas Region' prepared by the Rural Development Support Team in line with the cooperation and consultation of the local stakeholders and organizations in 2010 to guide the

sustainable development in the area challenges the delicate relationship between the economic development and conservation.

Being under the influence of the global economic crises, the TRNC government as well as the Republic of Turkey are trying to attract investment to the region to deal with problems of unemployment. Through its programmes such as Natura 2000 and LEADER, the EU is promoting the idea of conservation of natural and historic landscapes; through the revitalization of rural areas, it is attempting to point out to the significance of urban-rural linkages and altogether is pointing out to the significance of complying with the general spatial planning agenda of the EU.

Consequently, in a period less than a decade, the EU has managed to trigger a change in the understanding and approach of local actors involved in planning by causing turmoil in local politics. This will hopefully initiate a transformation in institutional thinking where the existing top to down approach will be re-evaluated.

The next chapter is dedicated to the evaluation of the Town Planning Law of Northern Cyprus in line with the European Spatial Development Perspective of the European Union.

Chapter 5

A CRITICAL EVALUATION OF THE TOWN PLANNING LAW OF NORTHERN CYPRUS IN LINE WITH THE ESDP

The ESDP is an organized effort of all the relevant stakeholders at the EU level to develop a long-term strategy for the territory of the EU where better coordination between Community policies is targeted to achieve an economically and socially integrated Europe. In order such a goal to be achieved member states need to develop awareness on how to think strategically at European, transnational, and national level. Cooperations at regional (cross-border) level are highly crucial as it will help towards eliminating borders within the EU and achieving an integrated Europe. Many EU policies have an important urban relevance that the EU cannot ignore; the potential of urban areas and the challenges facing them have to be taken into account.

Moreover, what really is important along this process is the adaptation of existing administrative structures and planning cultures to the European spatial planning system. As discussed previously in the second Chapter countries like Slovakia and Netherland which advocate a lot of responsibilities to local and regional authorities due to convergence with the European spatial planning policies still retain their planning cultures. This involves a centralized approach to the planning issues. Although Netherlands employ both a centralized and decentralized approach, the

government still holds the responsibility of controlling other authorities involved in planning. Sharing a similar planning culture to above examples and being a small state, Northern Cyprus should perhaps preserve its centralized approach to planning and maintain the sustenance of the Town Planning Law to guide and control development. Nonetheless, changes will be necessary to support a more EU friendly planning approach that incorporates different levels and sectors into planning. No doubt that, as a fund recipient of the EU and Turkey-a candidate state-, Northern Cyprus will be required to locate itself in the European space as well as contributing to peace through bi-communal projects and proactive planning.

The Town Planning Law (55/89) which is compiled as an umbrella document to put forward strategies (whether implied or explicit) for the development of the territory of Northern Cyprus, will have to be restructured in the light of European spatial planning policies and this is where the ESDP comes into the stage.

Within this perspective, the textual (content) analysis is important as it will help towards pinning down the key philosophy lying behind the ESDP and understanding whether the ESDP core policy principles (explicitly or implicitly) is embedded in the Town Planning Law (55/89) of Northern Cyprus. Moreover, it will deliver some concrete evidence regarding how convergent or divergent the Town Planning Law (55/89) is from the ESDP. The contextual analysis on the other hand, will give an idea about the general policy environment and multiplicity of actors involved in the process, and whether they diverge or converge from the EU example. Regarding the operational analysis, an opinion will be attained regarding whether the Town Planning law is supported with the EU instruments discussed earlier.

5.1 Findings of the Textual Analysis

Although the Town Planning Law was formed in 1989 when the ESDP was in conception; and it was shaped as a law through the inevitable consequence of the control and command approach of the land-use planning system existing in Northern Cyprus and the latter as a guide, as an end result of the strategic planning approach of the EU, nevertheless, the Town Planning Law conforms with the basic philosophy of the ESDP which highlights the importance of cooperating with certain sectors and authorities in the making of plans at various levels.

However, the fact that it is a law and written in judiciary terms gives it a degree of rigidity and limited scope. This is because its main concern is to command and control the planning activities rather than guiding them. In some ways this proves central authority's unwillingness to share the responsibility in planning as they foresee planning as a competence of the state, yet in other means judicial system is perceived as a tool to control spontaneous urban development and unlawful building.

Considering the definition of planning specified earlier, that it actually means the setting out of a strategy by which some desired goals can be achieved, then any key policy as an instrument of planning should involve future scenarios just like the ESDP. The major deficiency of the 55/89 law as a planning document is its lack of its capacity to include any visionary thinking regarding the future development of Northern Cyprus that also locates it within the wider context of the EU. However, considering that it is a law, perhaps this cannot be expected. Yet, as the highest level planning document it can order the making of a national spatial strategy of which the preparations have already started under the title 'Sustainable Development Strategy'. Indeed, the planning instruments at the national level should be enriched in order to

introduce a strategic approach to the existing regulatory system. National physical plan is an instrument of land-use planning and should be supported by a strategic framework explaining the future scenarios of professionals pertaining to the development of Northern Cyprus. Being written as a public law, naturally it has less flexibility to be changed over time contrary to other policy documents such as the national, local plans and cabinet decrees; therefore the forecast regarding the future and changes associated with it should be well thought out.

Although its starting point as a higher level policy document is to identify rules and regulation pertaining to the prudent use of land as stated in the constitution of the TRNC, this is not highlighted as the key objective of the document. Although articles 22, 36, 37, 38, 39, 40, 59 and 130 of the Constitution do promise its citizens a healthy and good quality environment, this is not clearly stated and highlighted in the Town Planning Law. On the contrary, the ESDP as a guide refer to the treaties establishing the EU, and make them the key objective of the text. The ESDP clearly states its purpose, higher objectives, policy guidelines and aims which give it a well defined scope.

Although urban planners or policy makers are usually extremely unwilling to make their intention clear and move from the objectives promised to the implementation, the ESDP on the other hand clarifies its intention and provides a framework of policy options and directs the implementer toward ways and means of achieving these policy options. The complexity of public policy making is that of moving from objectives to the implementation. However, the ESDP guides the Member States through how to implement the policies advised and offers a political action programme (Tampere Action Programme) regarding how to achieve them.

The very basic difference between the two documents is that the ESDP is designed around a strong and sustainable political agenda, yet, the Town Planning Law is perceived more as an instrument to control development. However, being a judiciary document and written with a standard style, the Town Planning Law almost desires to be everlasting and it is this quality that makes it valid in time.

Although at the time of its preparation, the ESDP was still at conception, the 55/89 Law recognizes an important issue that is regarded as novel at the ESDP document. It signifies the importance of cooperating with other governmental agencies such as the Department of Antiquities and/or Department of Environment in conflicting issues regarding planning. The ESDP which is built on the principle of widening the horizon beyond merely sectoral policy instruments focuses on the overall situation of the European territory and take into account the development opportunities which arise for individual regions. New forms of cooperation proposed in the ESDP should, in the future, contribute towards a co-operative setting up of sectoral policies (integrated policies)– which up to now have been implemented independently – when they affect the same territory.

The ESDP also sets out a new ‘philosophy’ for territorial development by emphasizing the need for a comprehensive and integrated approach in each particular region. This requires horizontal coordination and close cooperation amongst the authorities responsible for territorial development at all levels (vertical coordination).

Although an informal initiative, in order to be effective and worthwhile, it is advised that the ESDP is applied to the policy-making process not only at the EU level but also at national, regional and local authority level as well. The role of the ESDP is to guide spatial policy and provide a framework for the assessment of the consistency and coherence of spatial policy, especially in respect of urban–rural

relationships within regions and of the European context of urban and regional policy (Williams, 2000). This goal has been put into action through the establishment of European Spatial Observation Network (ESPON) as advised by the ESDP.

This should also be guiding for the Town Planning Law of Northern Cyprus. Moreover, in order to support the TPD with sound data, it is highly necessary to form a data bank like ESPON where research on urban issues can be generated. Otherwise, universities may provide these sources of information, but this requires the central government build partnerships with the private sector.

Another important principle discussed at the ESDP is national governments' involvement in transnational cooperation to learn from experiences. Similarly, there is a lot of significance attributed to planning at cross-border level so that borders can be eliminated. This is a very important issue for Northern Cyprus considering that it is still part of a divided country. The bi-communal Nicosia master plan is an example to this situation. The Town Planning Law should not only recognize the need for national planning yet other important levels as well that can contribute to peace and therefore sustainable development of Northern Cyprus.

5.2 Findings of the Contextual Analysis

As far as the aim of the thesis is considered, understanding under what conditions a policy document may survive and succeed, make the contextual parameter a very meaningful aspect to be investigated further. Together with the announcement of the first draft of the national physical plan of Northern Cyprus of which the main objectives are put forth as sharing the responsibilities in planning and targeting for a more proactive turn in planning, the major discussion has been whether the current planning system with the umbrella document, 55/89 Law will

support these objectives. Due to the mismatch between the two documents, now there are talks regarding the restructuring of the Town Planning Law.

Initially, it might be a wise idea to start with Regan's (1987) argument, looking at the current planning system to understand which components it comprises (political, judicial and professional). From the textual analysis of the ESDP, it has become clear that it has a very strong political dimension and that is where its success comes from. The document draws its main purpose from the treaties establishing the European Union; the political agenda of European integration. One's eye searches for a similar concept in 55/89 such as the need to integrate with Europe, Southern Cyprus or Turkey as a matter of fact in order to contribute to peace and share experiences. However, due to the political instability such a rationale is never put forth. However, the Nicosia Master Plan enacted in 1984 prior to the publication of the 55/89 Law proves that policy documents can have challenging objectives like supporting bi-communal planning projects. Without the political determination of Mayor of two sides, Nicosia Master Plan would never be realized. The reason behind its success is the fact that it had a political agenda. It did not only serve the purpose of revitalizing the walled city of Nicosia but created a common learning ground between the professionals of the two communities, helping towards building of confidence and therefore contributing to peace.

Leaving the political component aside, the professional activity within the planning system of Northern Cyprus is characterized both by technicality and rationality. The urge to carry on planning with mainly planners besides the existence of a large community of architects proves that there is a great concern for technicality. The same is applicable for rationality; the conservative approach of the

planning authority produces policy documents with reason but to the extent that will prevent any visionary thinking concerning the future.

The interviews relating to the preparation of the Town Planning Law with Doratlı, 2013, Örek, 2013, Davulcu, 2012) reveals that the preparation process has not been recorded / archived and many of the professionals who got involved in the making of the policy are no longer working for the TPD. It has been made clear that the idea of creating a Town Planning Law was already in minds since the enactment of Town Planning Law by Southern Cyprus in 1972. In line with the formation of a bi-communal multidisciplinary team to prepare a common planning strategy for the capital of Nicosia in early 1980s by the initiations of the Mayor of Nicosia, Mustafa Akıncı, a working team was formed in 2000 where Prof.Dr.Ruşen Keleş, Prof.Dr. Ahmet Acar and Raci Bademli from Turkey were appointed as advisors. The talks for the Nicosia Master Plan have relocated the Town Planning Law on the government's agenda in mid 1980s where a small working group from the TDP was formed to translate the original document prepared in consultation with the Nottingham University. The Turkish text was developed further to suit the needs of the Turkish Cypriot Community under the guidance of Prof.Dr.Ruşen Keleş (Örek, 2012, Doratlı, 2013). The first draft of the document was shared with public soon after its completion.

When the two processes are evaluated, perhaps they are not diversely different at first sight. Yet, accepting member states as the first degree target groups of the ESDP, and sharing the responsibility of creating the document complies with the subsidiarity principle of the EU. However, in the 55/89 Law the process is different. If municipalities and major interest groups are accepted as the target group in this case, they are consulted through the process, but nonetheless they are not the

creator of the document. It was again the TPD as the central authority which fully remained in charge of the making of the Law.

As Regan suggests, land-use planning systems does certainly have a professional emphasis where there is a tendency for the opinions of expert planners to be decisive and for the preferred strategy to be as comprehensive as possible. It is indicated that in general 'the professional' role will push the system towards skill and technique and the attachment of great importance by planners to the justification of advice by various kinds of technical analysis (Bracken, 1981, p.237). This is indeed what has happened in Northern Cyprus where over time the TPD and its planners gained increasing importance. Today, it is not the current Minister of Interior and Local Administration being highly criticised for the making of plans but it is the TPD seen as the sole authority.

Given that land-use planning is, in practice attempting to regulate a system of constant change, excessive obedience to formal rules means inflexibility and increasing tensions within and around the system. Equally it is clear from experience that a strongly arbitrating procedure can become burdensome, and subject to high costs and long delays (Bor, 1974), (Bracken, 1981, p.237-238). Being the product of a judicial system, this is exactly what has happened in the case of 55/89 Law or the whole process as a matter of fact. However, the ESDP not being a binding act does not suffer from the side effects of being judicial.

Returning to the political component in planning, it is worth stressing again that the major difference between the two systems is that in the case of European spatial planning there is a changing yet a steadier political environment. However, land use planning system of Northern Cyprus suffers from the ill effects of an unstable political environment where rules and regulations can change according to

the political party in charge of the government and planning is exercised more as a tool to entice voters. In the last decade the TPD points out to an increasing interference of political parties especially to the cabinet decrees prepared by them. In general, the system of Northern Cyprus suffer from day-to-day politics of the country and that prevents the professionals of the TPD maintain a long-term view. According to Regan's argument any public policy field which tries to reconcile a significant role for the three traditions (professional, political and judicial) in a stable relationship will face immense difficulty. In short, these traditions have opposing tendencies, and hence pull in different directions, and the planning system, in trying to embrace these diverse and mutually contradictory elements is faced with incompatible tensions. This has important implications for the way that the planning system is operated, but also means that these tensions will be focused directly on to the policy content (Bracken, 1981, p.239-240). Perhaps the rejection of the national physical plan by the Union of Chamber of Cypriot Turkish Engineers and Architects is a proof of the ill effects of a system trying to be both judiciary and professional with potential political intrusions from time to time.

Finally, a closer look at the nature of the actors involved in the plan making process will provide a basis for understanding how the policy environment differs from the European example.

In the case of Northern Cyprus the main actors involved in the process of urban planning can be viewed under two major groups: governmental agencies and related interest groups such as civil organisations, universities and their research centres. Similar to the EU's institutional structure, TRNC has a Parliament with fifty elected representatives and Council of Ministers stand out as the highest authoritative

and legislative body to adopt any plans and/or planning policies pertaining to the development of the territory of Northern Cyprus.

Prime Minister's office which resembles the European Commission in structure may start deliberations on the making of a policy regarding planning, yet it is the Ministry of Interior and Local Administrations which issues proposals (see Figure 5.1.)

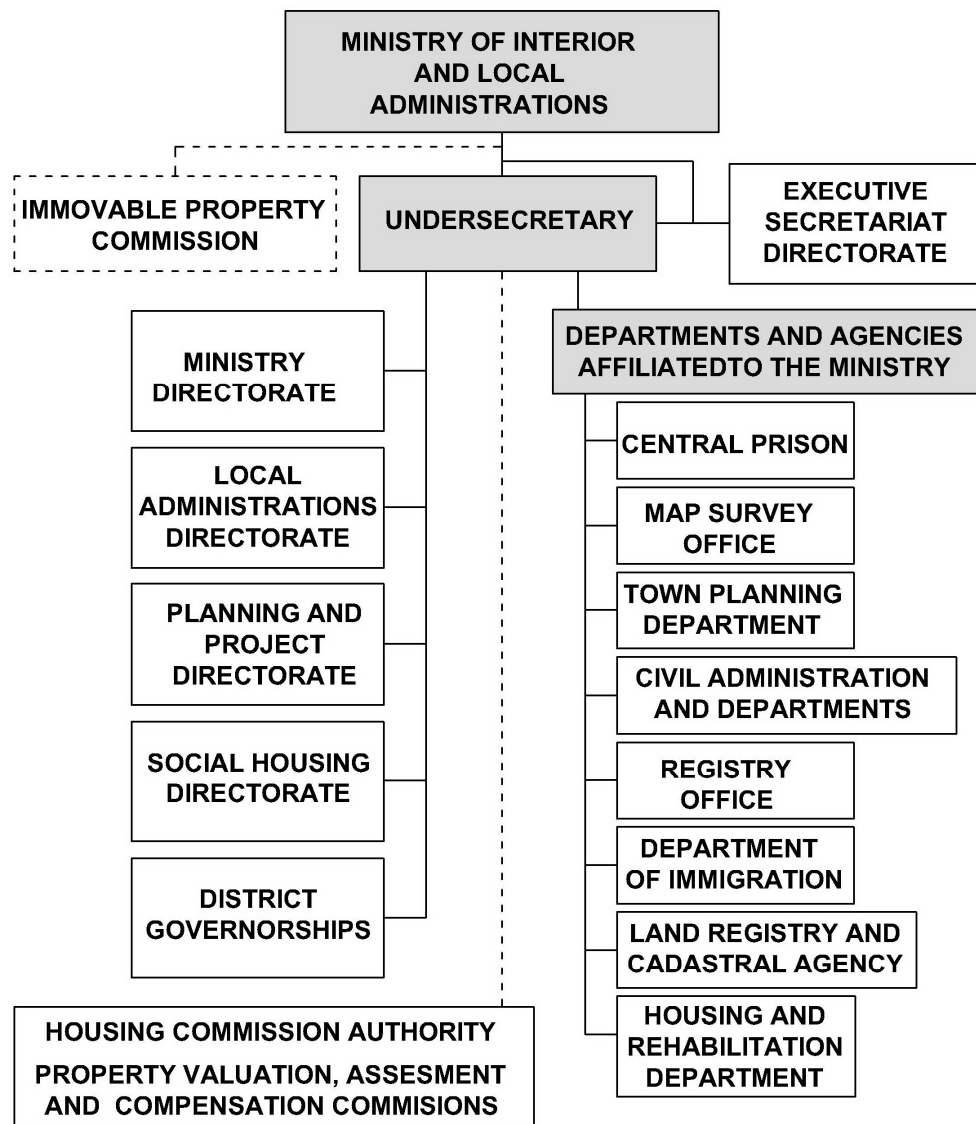


Figure 5.1. Departments under the Ministry of Interior and Local Administrations (<http://www.icisleri.gov.ct.tr>)

Regarding the harmonization of current legislation to the EU norms and standards, the EU Coordination Centre established under the Prime Minister's office is responsible for giving advice on EU related issues. The Town Planning Department under the Ministry of Interior and Local Administrations, then cooperates with the relevant organizations, prepares the first draft of the policy and presents it to the Council of Ministers for adoption.

Another important governmental organization which is responsible for producing statistical data on economic, social and cultural issues, preparing short and long term plans, monitoring the implementation of long-term, short-term plans and annual programs and advising to the Council of Ministers in relation to the adoption of policies relating to the TRNC is the State Planning Organization. (<http://www.devplan.org/Frame-eng.html>).

Higher Planning Council under the State Planning Organization (SPO) is composed of the Prime Minister, if available relevant State Ministers and three ministers appointed by the Council of Ministers, the Undersecretary of the SPO, the Director of Economic Planning Department, the Director of Social Planning Department, the Director of Statistics and Research Department and the Director of Follow up and Coordination Department. The duty of the Higher Planning Council is to provide assistance to the Council of Ministers in determining economic, social and cultural policy targets and to examine the plans and programs which are prepared within the framework of determined principles, whether they are sufficient or in conformity with the goals specified. For the adoption of the long-term plan, the Higher Planning Council meets within seven days following the submission of the long-term plan to the Prime Ministry. The council examines the plan and reports to the Council of Ministers whether it is consistent with the main targets adopted.

Following the approval of the plan by the Council of Ministers within ten days, it is submitted to the Parliament of the Turkish Republic of Northern Cyprus for final approval.

Another governmental body involved in the planning issues is the Ministry of Public Works and Transportation (see Figure 5.2). Almost all the departments tied to this Ministry are closely associated sectors to planning. However, in practice they do not have much interaction or vertical and horizontal cooperation in between them.

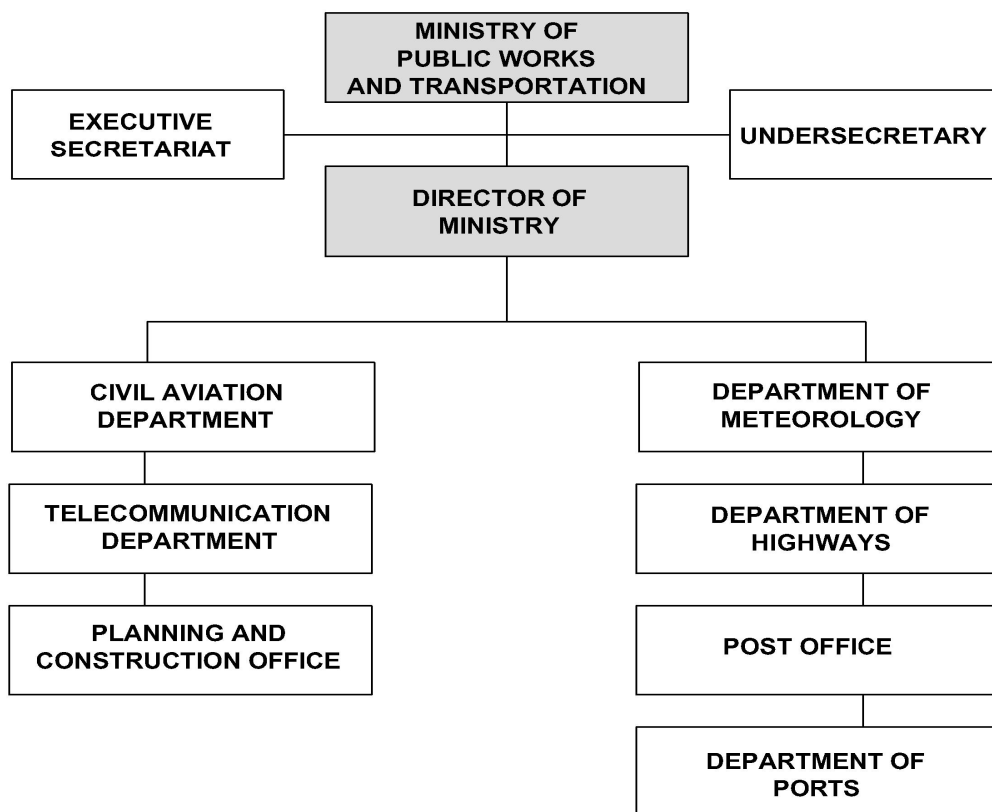


Figure 5.2. Departments under the Ministry of Public Works and Transportation (<http://www.kkctcmeteor.org/BUB/tsemasi.aspx>)

As far as the second group of actors (civil organizations, universities and their research centres) are considered, the key actor with the highest tendency to affect planning decisions is the Union of Chambers of Cyprus Turkish Engineers and Architects. They are one of the major organisations that should work in coordination

with the Town Planning Department in the making of Local Plans and national physical plan. The Union is composed of Chambers from a variety of disciplines yet the most active organization regarding planning issues is the Chambers of Turkish Cypriot Architects with a growing number (over a thousand) of members. Being susceptible to the side-effects of plans and policies prepared by the TPD, they may sometimes put forth opposing views regarding the approval of a planning policy. This is due to the differences underlying the two professions. Planners are directly responsible to the public and their first obligation is to cater for public amenities whereas architects' first duty is to protect the rights of their clients who are very likely to be influenced by the decision of plans and policies prepared by planners.

Chamber of City Planners on the other hand represent a population of maximum 20 professionals of whom many are amongst the decision making mechanism, therefore due to their supporting role they are not usually likely to put forth any opposing views. Although the duty of Chamber of City Planners is to support healthy urbanization, their scarcity in the island as well as their position in the central government prevents them stating a critical opinion against the TPD. Besides Union of Chambers of Cyprus Turkish Engineers and Architects, following civil organisations and institutions also exert an influence on planning by participating in governmental committees to give expert opinion and help towards the improvement of public awareness on the topic.

Although there are a few universities in Northern Cyprus, and they all have Schools of Architecture, there are no planning departments apart from the graduation programme offered by the Eastern Mediterranean University (EMU). Only an urban research and development centre (URDC) exists and that is located at the Faculty of Architecture of the same University. However, based on the activities and

publications of the centre, it is understood that the Centre cannot be effective on the real urban politics due to the local administrations' interest in collaboration.

There are also numerous non-governmental organizations that show interest in urban issues. Considering the importance it associates to the conservation of environment, the EU supports the strengthening of civil societies interested in the environment. Through its funding programmes within the last five years, the EU has led to the emergence of numerous civil organizations interested in the protection of the environment.

EREC (Environmental Research and Education Centre) for example is an organization devoted to motivating public debate, and encouraging researches in all areas relating to environmental and economic policies of the European Union and their evidence for Cyprus. Through its activities, EREC seeks to launch a ground for discussion on promising ideas, new policies and practices and on recent research findings in and around the European Union.

Green Action Group on the other hand, aims to protect all the rare species in Cyprus such as turtles, Cyprus donkeys by helping protect the natural equilibrium of the environment through the prevention of planned or unplanned urbanization. The group is a permanent member of the Environmental Consulting Board, Tourism Consulting Board, and works within the environment-related committees within the government.

SID (Society for International Development) is a global organization established with the aim of providing orientation and support in development and social change. The SID Lefkoşa chapter was established in 1994 as a think tank with the chief aim of increasing awareness with regards to the environment, sustainable

development and sustainable environments in the Turkish Cypriot Community (sidlefkosachapter.org).

ÇEKOVA (Environmental Protection Foundation) which aims to fight against the destruction of shorelines, increasing construction, littering, noise, air and visual pollution and all other kinds of pollution has specific concerns regarding the destruction of the Kyrenia mountain range due to uncontrolled and wild stone quarries. They have fought against this particular problem trying to raise environmental awareness at central and local level.

CSRS (Cultural and Scientific Research Society) carries out scientific research in the fields of gender, environment, culture and public health. The organization has cooperated with Environmental Education Centre in an environmental awareness building project. It has carried out fund-raising activities, is publishing weekly articles on environment. Besides environment, CSRS has been active on public health and awareness issues.

Cyprus Turkish Biologists, Nature Research and Protection Association undertake biological research related to the environment, and nature, as well as to protect nature.

Friends of Karpas; is actively involved in the introduction and protection of the historical, natural, and cultural treasures of the area and facilitating the development of the area; contributing to increasing the population's awareness for nature, culture, and arts.

KEMA (Turkish Cypriot Reforestation, Protection of the Nature, and Fight against Erosion Association) aims to ensure the proper use of land, to encourage reforestation and the protection of natural beings and habitats.

Although these civil organizations do not have a direct impact on planning decisions, they can nonetheless create an impetus especially during the times when they act together.

When the two contexts are evaluated, it is very apparent that Northern Cyprus lacks necessary central institutions dealing specifically with urban issues. The involvement of public and private sector to the decision making mechanism is almost non-existent. Although there is a considerable amount of NGOs, they do not participate in the plan making process. There are also a limited number of research agencies available that can produce sound data on urban issues. However, what has been promising after the strengthening of the civil sector by the EU, is the creation of more reaction towards planning issues, for instance, the protest against the widening of roads to the Karpas region. On the contrary one of the greatest advantages of the environment that the ESDP was born was the existence and support of multi-facet actors. Without the contribution of these actors, the document would not gain such international recognition and would never be applied.

5.3 Findings of the Operational Analysis

At the most basic level, implementation is indicated as motivating or persuading people to behave in accordance with a policy. The fact that the ESDP included necessary financial instruments to achieve its goals made its application easier. The Town Planning Law on the other hand besides being a judicial document that enforced its implementation ended up with a growing bureaucracy for the governmental agencies as well as other professionals who were directly related to the process. However, what was the end result of the policy after twenty-three years of its application? Did it produce a better quality environment for the citizens of the TRNC? Did it position cities of Northern Cyprus amongst the best of Europe? Did it

contribute to peace on the island? The fact that it was a judicial document guaranteed its implementation, yet whether it achieved a better quality environment is surely open to discussion. The major deficiency of the 55/89 Law as a judicial document has been its disability to offer any financial instruments and an action plan for its well functioning.

If the 55/89 Law is approached through a critical perspective, then one should look at what it promised to achieve and whether they have all been accomplished after two decades of its release. This will surely be a fairer action in the judgement of this document. After its enactment in 1989, 55/89 Law introduced a set of tools such as the national physical plan, master plans, local plans, environmental plans, cabinet decisions and priority area schemes to pursue the planning of the territory of Northern Cyprus. The most important tool, the national physical plan as referred to in the document, could not be realized within the two years of the release of the 55/89 Law as stated by law but only two decades later due to lack of technical facilities and necessary human resources. This was partially due to the character of the implementing agency which resulted from the neglect of central government to equip this department with necessary technical know-how, specialized equipment, training and specialized staff. On the other hand, the interviews carried out at the TPD prove that as a department of its own it has a highly centralized approach towards the sharing of knowledge within its borders. Regarding very important issues, such as the making of the 55/89 Law and the national physical plan, it turned out that only the assigned parties had knowledge of what actually was happening. Although TPD received assistance from the EU TAIEX programme for technical aid towards the making of the national physical plan, this process was shared by only a selected number of staff.

The implementation mechanism regarding the making of national physical plan was not only interrupted through lack of technical know-how, yet non-application of policies at higher level such as development plans that are meant to be prepared regularly on a five year basis by the State Planning Organization.

The regular delivery of development plan which gives statistical data regarding the regional distribution of resources and development opportunities within the territory of Northern Cyprus; and strategies relating to the government in action has been disrupted. Naturally, this exerts a negative influence on the planning related issues. Coupled with the emergence of so many other agencies affecting planning now such as the Aid Committee of the Turkish Republic and the Task force of the European Union, the mission of the State Planning Organization in coordinating the agenda of these agencies within the general perspective of development plans has become even more significant.

Apart from the national physical plan, the necessity to develop Local Plans for major urban areas or areas undergoing intensive development pressures has not been sustained as promised by the 55/89 Law due to local authorities being kept outside the circle of decision making. With the 55/89 Law, the TPD which acts under the Ministry of Interior and Local Administrations is given the whole responsibility of generating plans and giving planning permission in Northern Cyprus. Although municipalities are part of the decision making mechanism through their inclusion in the United Council (the united council is composed of representatives from the TPD, municipalities and other local organizations) that gives seal of approval for Local plans, nonetheless they do not have sole responsibility of preparing plans for their area. Due to the delegation of all the authority to the central body, it is not possible to talk about professional town

planners in private sector which might serve to the preparations of planning proposals. Regarding the participation of the stakeholders in the 55/1989 Law, it is stated that the TPD is responsible for developing a coordinated approach with institutions such as Union of Chambers of Cyprus Turkish Engineers and Architects and other related non-governmental organizations during the preparation or amendment of the existing development or national physical plan. More importantly, throughout the preparation period of a local plan, above mentioned participatory democracy permeates all levels of the public. A period of six week is permitted to the public to inform of their opinion on proposal to the TPD through related local administrations and municipalities.

According to the 55/1989 Law, the Town Planning Law and the national physical plan is prepared by the TPD, local and environmental plans are prepared in cooperation with the municipality of relevant area, and in case of multiple municipalities it is put into action after being agreed by the united council. Plans relating to the conservation of historical sites require the permission of the Higher Council of Immovable Antiquities and Monuments.

Although public participation is encouraged by the 55/89 Law, the idealized policy does not usually find its correspondence in practice. For example, in the revision of the Nicosia Master Plan last year, feedback was asked from local authorities and organized professional groups as required by the Law, yet, their views were not particularly taken into consideration. This is off course not necessarily an unlawful act as the 55/89 Law delegates the final decision/right to the plan making authority, the TPD, by specifying that in case of an equal vote, the right of a supplementary vote is given to the TPD.

In spite of the democratic approach embedded in the 55/1988 Law, the TPD which is authorized with the sole responsibility of making plans and giving planning approvals resists to cooperate with other interest groups or governmental agencies. Another example to this case is the response coming from the Union of Chambers of Cyprus Turkish Engineers and Architects to the delayed national physical plan. They have issued a press statement where they declared that in spite of their request to contribute to the preparation process in advance, the draft of the plan were introduced to them as a civil organisation on parallel lines with the public. This reflects top to bottom approach of TPD and therefore the central government. The head of the Chamber of City Planners' statement lined up behind the head of the Chamber of Turkish Cypriot Architects explaining that in addition to the delayed national physical plan, a major overhaul of the Town Planning Law is necessary so that authority of the TPD is shared amongst local and central administrations. (http://www.kibrispostasi.com/index.php/cat/35/news/98428/PageName/KIBRIS_HABERLERI).

The high rise discussions within Girne Municipality boundaries are another example to the TPD's monopoly position in planning. Within his press statement on the issue, the mayor of Girne has demanded the right of giving planning permissions which was formerly under the authority of municipalities. He has added that after the enactment of the 55/89 Law, all the responsibilities were delegated to the TPD. Furthermore, Mayor Aygün has stressed that prospective vision of each town is strongly linked to its town plans. He has associated the reasons behind the high rise debates with the lack of Local (Master) Plans, concluding that major developments alike should be decided only in the existence of a Master Plan. This example once again stresses the will of the local administrations share the planning authority of

their territories with central administration (<http://www.kibrissondakika.com/kkctc/girne-belediyesinden-hukuk-savasi.htm>).

Although municipalities hold rights over controlling of construction works and land use in regards to the municipalities law, the 55/89 Law restricts their responsibilities and only allows them issue opinions regarding the making of plans. The overall supreme body which has been appointed with the right to develop local plans is the Town Planning Department. In case of smaller settlements which do not possess the appropriate technical equipment or available work force, district offices (kaymakamlık) possess similar rights. The TPD also cooperates with relevant central agencies such as the department of antiquities, department of environment and tourism planning office when the need arises.

The last yet the most important topic relating to the operation of the Town Planning Law is actually the existence of financial and fiscal instruments which shall be looked at in more detail below.

The urban planning policies on their own are worthless unless they are supported with an action plan regarding the means to reach a source of money to achieve their desired goals. Regarding financial instruments available for developing the territory of Northern Cyprus, we may talk of a number of resources ranging from the local to foreign agencies.

As far as the local resources are considered, the TRNC Development Bank can be defined as a significant source affecting/orienting locational decision in the territory of Northern Cyprus. After being established in 1992, the Bank's mission has been to provide low interest, long-term financing to investment projects; guiding investments towards country needs; promoting employment and helping scarce resources to be transformed into feasible and environment-friendly investments; and

to operate with democratic and active contribution of employees towards meeting investors' needs and expectations. The TRNC Development Bank provides loans to investors on the fields of manufacturing, tourism, education, health; consultation and education (<http://www.kktckb.org>).

Another local resource affecting planning is YAGA (Investment Development Agency) which is established by the Local Authorities in Northern Cyprus established with the aim of becoming the “one-stop-shop” for both local and foreign investors who are interested in investing in Northern Cyprus. The Agency is directly responsible for reporting to the Prime Minister. Its broad goals are to contribute to the sustainable economic development of Northern Cyprus and increase the living standard of its population. Additionally, agency acts as a facilitator in the provision of land and incentives and deals with cumbersome bureaucracy including dealing with licenses and starting a business. YAGA encourages positive interest towards Northern Cyprus amongst firms considering generating their investments. Therefore, promoting Northern Cyprus as a competitive location for business and investment is another important mission of the Agency (<http://www.investinnorthcyprus.org>).

Since 2006 the European Union appears as a major financial donor of whom the investments are targeted towards the raising of quality of life within the Turkish Cypriot community relating to infrastructure developments, urban - rural linkage, historic preservation, capacity building, strengthening of economy and civil society. The EU aid received is directed to infrastructure, private sector development, *acquis* harmonization, confidence-building measures and feasibility studies. The funds are administered by the European Agency for Reconstruction. There is already an EU funded aid programme, “Partnership for the Future”, active on both sides of the

Green Line, Partnership for the Future (PFF), which funds direct support to the business communities on both sides of the island, infrastructure and rehabilitation project for the main cities in the north, and de-mining in the buffer zone (The International Crises Group, 2006).

Another major benefactor in infrastructure development, urban renewal and historic restoration and preservation is the Aid Committee of Republic of Turkey. In 2011, the Turkish Government has granted the TRNC government with 840 million TL where major infrastructure developments such as building of motorways, underwater aqueduct construction for the transportation of fresh water to the island from Turkey, construction of mosques in villages, financial support to the university sector has been realized (www.yhb.gov.tr).

Besides these, United Nations and USA are other agencies delivering resources for the development of the economy, environment and culture. The USAID assistance to Cyprus for example began as a humanitarian relief operation in the summer of 1974 and has since evolved into a multi-sector development program aimed at increasing the quality and quantity of interaction between the two divided communities and reducing the significant economic disparity in between to reinforce the practical, economic foundation for reunification under a future bi-zonal, bi-communal federation. (<http://www.usaid.gov/policy/budget>). Activities of the USAID involve local governance through improved services and public infrastructure, environmental management, public health, economic development, urban renewal, and historic restoration and preservation.

Although there are some sources of funding available, yet, these are spread and only a few is under the supervision of the central government who make urban

policies. Each of above instruments have spatial impacts and in some cases conflicting influences over the territory of the Northern Cyprus.

As far as the fiscal measures are considered, there are some laws offering incentives, taxes and subsidies that affect the allocation of space in Northern Cyprus. Under the Incentive Law for example, the government grants certificates for foreign investments. The co-operation between local and foreign firms in the form of joint ventures is promoted by this law. Tourism sector for example has the highest share in fixed investments and this sector occupies almost 70% of the overall investment to Northern Cyprus. Industry and education sectors follow it with approximately 20% and 10% respectively. Investment allowance is given to Priority Development Regions such as Güzelyurt and Karpaz. State owned land and building lease is possible for the investments that are granted incentive certificate in accordance with the regulations in force. The opportunities offered by this law has opened the way for large investements such as ODTU and ITU universities (<http://www.devplan.org>)

The Property Tax Law (42/2007) is also bringing some fiscal measures towards the keeping of vacant lands and other properties and therefore exerting an impact on the space. Due to the low amount of tax demanded from the vacant lands and offering no subsidies for small scale residential and commercial investments has given rise to lots of vacant lands and unfinished buildings causing a visual pollution in the urban and rural landscapes of Northern Cyprus.

The transfer of property rights was a measure proposed for the revitalization of the walled city of Nicosia, where people who could not invest on their deteriorating properties would be able to exchange them with people longing to invest on a historical building (Doratli, 2013).

There are also some incentives relating to the sustenance of agriculture in Northern Cyprus where farmers are supported economically through subsidies and incentive funds. This has a positive effect on the preservation of rural landscapes. The establishment of the rural development programme by the EU has also greatly contributed towards this aim.

Chapter 6

CONCLUSION

This is a research built on the theme of European spatial planning where the main target has been to understand a novel discipline and its tools as well as the way it has affected the planning legislation of the member states in order to draw out some key messages for the Town Planning Law of Northern Cyprus.

For this purpose, the research looks into the last two decades trying to understand how the European spatial policy evolved in line with the emerging policy documents. It is clear that together with the rising number of sectoral policies, European Commission has started looking for ways of coordinating these policies as it has soon become apparent that they had spatial impacts. This awareness has brought out an official encouragement of the improvement of the methods and techniques for urban planning and cross-border cooperation for the solution of concrete problems at the European level. In parallel lines, larger countries with a border to another European country, has started paying more attention to regional planning (cross-border) and inserted this in their national legislation. The same is surely applicable for the EU level (supranational) where transnational thinking has started appearing at national spatial strategies of the member states.

Undoubtedly, all of these changes were the result of an extensive body of policies introduced to highlight the significance of international collaboration in the area of planning and the importance of priority areas such as spread out urban areas, rural areas in transition, and areas of environmental importance.

These policies were equipped with fiscal and policy measures that guided member states with traditional land use systems enter into a phase of transformation. The policy measures have included the emergence of documents such as the ESDP which laid down the principles of spatial planning whereas fiscal measures have given rise to instruments such as the INTERREG, that altogether has created a common approach to spatial policy within the EU to 'Europeanise' spatial policy and planning practices at lower spatial scales (national, regional and local).

On the other end of the scale, there is the subsidiarity principle of the EU exerting an impact on spatial planning as decentralized provision, helping administrations make better use of local knowledge, as well as increasing participation, democracy and improving political stability. This has resulted in the delegation of responsibilities to local authorities where they have gained the means to the detailed management of land use change and building control, under the general supervision of the national or regional government.

Moreover, due to the shift to a market-oriented economy, member states now advocate greater importance to the role of the private sector in the realization of spatial planning policy, where public-private partnerships are supported. In many European countries it is normal practice for the public sector to take a leading role in the implementation process, particularly for large, complex or urban projects.

Another important change is the importance associated to sectoral policies with significant spatial impacts. National legislation of member states now highlights these sectors by underlining the significance of cooperation between them as well as vertical coordination of plan making agencies. At the EU level this is leading to integrated policies and programmes.

Although for the candidate states, in the area of urban planning there is no direct obligation with respect to individual chapters of the *acquis communautaire*, they are expected to incorporate into their national legislation certain sectoral policies that have direct impact on national spatial planning. Therefore, like member states, candidate states are also required to respect international recommendations, directives, contracts and conventions, for example, from the area of the protection of the environment, the protection of the natural and cultural heritage, water management, the management of the coastline and the island areas. Moreover, sectors like transport, environmental issues, structural funds, etc. which are related to urban planning matters, also have to respect international agreements and special guidelines and instruments of the EU and run and orient the vision of the development of their activities at the national level. During the association process, new members of the EU, has to first of all assess the state of affairs in the space, determine their own objectives and policy for spatial development, and finally harmonize these objectives and policies with the interests of the EU. Most of the states that have joined the EU in the last two enlargements of 2004 and 2007, have defined their new policy for spatial planning. Similarly, since Southern Cyprus started benefiting from the EU funding programmes since its membership in 2004, it has progressed into the process of thinking in EU terms, i.e adopting a national spatial strategy and getting involved in international co-operations.

In the light of above discussions, there is surely an urgent need for change for the national legislation of Northern Cyprus which will hopefully lead to administrative restructuring and change in the planning practice at the long turn. The centralized traditional land use system where the responsibility of plan making and giving planning permission is within the liability of the central authority need to

change so that it can respond to the problems originating from the planning practice. This transformation will surely start with the legislation where there has to be concrete changes to support European spatial planning issues discussed above. However, there is a need for the adoption of a general government policy framework for spatial development based on transparency, integrity of all essential disciplines, and coordination of stakeholders; leading to the idea of a balance between centralized and decentralized approach.

Within this general framework, the research looks into the ESDP through a methodical analysis in need for some concrete messages for the restructuring of the Town Planning Law of Northern Cyprus. As an EU level spatial policy document, prepared in cooperation with the member states, one of the greatest merits of the ESDP was the introduction of the Territorial Impact Assessment (TIA), which provided an evidence base for what the impacts of particular policies have been and therefore provided a more rational basis for shaping future policy developments. Although there is an effort towards the development of sound methodologies on how to assess the impact of EU spatial policies, there seems to be a gap in the field of spatial policy analysis where the main goal is to assess the policies themselves. The contribution to the field is the analytical method developed to analyse urban/spatial policies and most certainly the evaluation carried out on the case of Northern Cyprus. This method can also be utilized in comparative case studies to find out where a particular case stands against the other. Another contribution to the field is the evaluation carried out on the national legislation of Northern Cyprus as this study has proven that there is almost no academic research specifically targeting the Town Planning Law of Northern Cyprus.

For this purpose, the research carries out a literature review on keywords, the European spatial planning, the ESDP, Urban Policy Analysis, the Town Planning Law (55/89) of Northern Cyprus to understand the European spatial planning discourse, the context which the ESDP was born; the document itself; and existing theoretical approaches on urban policy making and analysis. This is supported by data collection relating to the case study which comprises desk interviews with relevant professionals to understand the problem; as well as newspaper and internet search to collect necessary information relating to the topic.

After the compilation of the necessary data, the study employs a case study approach to policy analysis where the European Spatial Development Perspective of the EU is explored through a framework derived from the general theory of urban policy. The case study, the Town Planning Law of Northern Cyprus is evaluated against this framework to arrive at some concrete results. During the conduct of the ESDP analysis, the framework gathered from the general urban policy analysis is utilized. This includes a textual analysis where the key principles behind the ESDP are attained. The contextual analysis aims to understand the context in which the ESDP and the Town Planning Law are born and continue to exist. The operational analysis on the other hand interrogates the tools policy uses in its implementation.

In the textual analysis of the ESDP, one comes across with a very clear objective, the sustainable development of the territory of the EU which clearly specifies that the strength of the EU comes from its cultural variety and this is a value to be preserved during the economic and social integration of Europe. Considering that the Town Planning Law is not a strategic document, and sustainable development is a virtue that needs to be retained in line with the economic development, it makes sense that the Town Planning Law should enforce the making

of a Sustainable Development Strategy, a document the government has already started working on.

Although the Town Planning Law enforces cooperation with governmental agencies such as the Department of Antiquities and Environment, in the making of plans and giving planning permissions, it should nonetheless recognize other major sectors such as tourism, transport, industry, agriculture, environment and loan activities of the European and Turkish banks. A vertical integration of governmental agencies starting from the EU coordination centre and horizontal integration of sectoral policies should be targeted to achieve better coordination of policies. In some cases, these have to lead to integrated policies where possible i.e integrated coastal zone management. The new environmental law that is prepared in harmony with the EU norms and standards should be referred to. The Law should recognize other areas of importance such as urban renewal, the new urban-rural relationship and parity of access to infrastructure and knowledge meaning emphasis is put transparency, building partnership with the other agencies and the private sector.

Moreover, the level of participation of major stakeholders, and the topic relating to who should contribute and what sort of agencies should participate has to be carefully reconsidered. The new Town and Planning Law should give responsibility to municipalities as well as other major organizations in order to integrate them into the decision making process. The central authority can still hold the responsibility of being the main regulatory body, yet it is crucial that local authorities start getting involved in the decision making process regarding their territory.

Another important issue is the establishment of a data bank in similar lines with ESPON which produces valuable information/research on urban issues. The

Town Planning Law should recognize the importance of this issue. There are surely various ways of achieving this target, such as building up partnerships with the existing universities.

Other levels of planning such as cross-border and transnational planning should be recognized by the Town Planning Law and their tools should be included in the document. In the future there may be more local plans such as the bi-communal Nicosia Master Plan and the Town Planning Law should include provisions to make the realization of such opportunities possible.

Another very significant concern is the inclusion of action plans at different levels of planning which recommends a variety of tools to achieve targets specified. Yet, most importantly, there is the evaluation and monitoring cycles that should be recognized as important steps in attaining better policies. The Town Planning Law as the highest level planning legislation should highlight the importance of these steps as well as including tools to achieve these targets.

As far as the contextual analysis is considered the most significant finding is the enriched policy environment of the EU with multifaceted actors involved in the process. At the EU level during the policy making process, a range of governmental, non-governmental organizations and other interest groups with different views go through a negotiation and communication process around a common goal to produce a plan or policy document. Since the coming out of the Town Planning Law of Northern Cyprus, the EU funding programme for the Turkish Cypriot Community has invested in the establishment and enhancement of a lot of NGOs which ended up with the preparation of strategic policy documents for regions like Karpaz. These are carefully prepared documents with the involvement of local citizens, authorities and EU agencies and should be given reference in the Town Planning Law. It is

important that the central government initiates the formation of advisory committees on spatial planning issues such as the Committee of the Regions (COR) and the Economic and Social Committee (ECOSOC), which are composed of professionals from the private sector.

As indicated in the general policy environment in chapter 3.2.2 what made the application of the ESDP a reality and success in many of the member states was not only the fact that it was formed by the cooperation of the EC and the member states but the strong political determination advocated to the EU integration. It is highly essential that the general objective of the Town Planning Law is clearly stated in the document and all the relevant actors get involved in the plan making process to achieve that goal. The central planning authority should not be the single decision making mechanism, yet, it should regulate all sorts of planning activities within North Cyprus. Although the EU is implementing its funding programme in Northern Cyprus since 2006, the TPD has played no active role in the delivery of this aid. Therefore it is extremely critical for the TPD to harmonize with European Spatial Planning guidelines so that its objectives do not clash with the bodies funding various programmes. Surely, this requires a strong political will where political parties are enforced to harmonize with the general objectives of the sustainable strategy framework. If parties come up with their own programmes which are not in harmony with the sustainable strategy framework, the sustenance of national documents cannot be maintained. The constitution should clearly state this issue to protect the rights of individuals.

The findings on operational analysis on the other hand prove that although a planning document is statutory, it will not motivate or persuade people to behave in accordance with that policy unless it is supported with an action plan and necessary

financial and fiscal tools. It is exceptionally essential that as a higher level policy document, the Town Planning Law recognizes the importance of the TPD as a body that the main function is not basically making plans and programmes but coordinating increasing number of bodies whose programmes are impacting on the space.

Consequently, similar to any planning policy or strategy, the Town Planning Law as a statutory document has to consider a number of contradicting professional and political attitudes to development control such as a social versus a liberal approach, and growth versus a balanced approach. In planning terms this refers to approaches such as regulation versus deregulation, and centralization versus decentralization. This implies that planning is closely associated with politics. Therefore, there has to be a shift to strategic planning system which is based on all four approaches and methods of planning in order to appear as legitimate. This will include a balance between the regulations of the professional planners; the demand for control and economic growth of the politicians; the wishes for free market investments coming from the developers; and demands articulated by the citizens.

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APPENDICES

Appendix A: A Summary of the ESDP

The ESDP is a detailed guideline providing advice on spatial development issues regarding the EU and the Member States in a systematic manner. Its language is fairly easy to understand where statements are usually delegated as recommendations rather than permissive or restrictive declarations. The ESDP, is structured into two parts where in Part A the contribution of spatial policy towards the achievement of a sustainable Europe and the impact of community policies on the territory of Europe are discussed; and several policy aims and options as well as their application; and the new challenges raised by the enlarging territory of the European Union are put forth. Whilst Part A aims to convey policy messages regarding the future development of the territory of the EU as well the member states, Part B discusses the trends, opportunities and challenges of the territory of the EU.

Inspired by the successive treaties such as Single European Act, Maastricht and Amsterdam Treaties, the ESDP comes up with three higher level objectives that should be achieved equally in all the regions of the EU:

- economic and social cohesion;
- conservation and management of natural resources and the cultural heritage;
- more balanced competitiveness of the European territory.

In order to achieve these goals, a policy framework is proposed so that better cooperation between Community sectoral policies that are likely to insert significant pressure between Member States, their regions and cities, is achieved (CEC, 1999, p.11). This draws attention to the significance of cooperation between all sectors and levels. The ESDP consists of three guidelines and 13 policy aims, of which 11 are then developed into 60 policy options. Although these policy options are general in character, they still provide a certain direction to policy development.

The first chapter of the ESDP is devoted to expressing the distinctive character of the European territory. One of the major assets/opportunities of the EU is recognized as its cultural variety that actually distinguishes it from other large economic zones of the world, such as the USA and Japan. Accordingly, this variety is to be kept in the course of European integration through the encouragement of spatial development policies, which do not standardize local and regional identities in the EU, yet, help enrich the quality of life of its citizens. In line with the growing economic and social integration that entails both opportunities and threats, the EU faces spatial challenges deriving from the loosening and reshaping of its internal borders. The regional, national or Community projects targeted towards the reshaping of one country may lead to negative impacts on the spatial structure of other Member States. When viewed from this perspective, spatial planning can be a tool aiding to the reduction of regional disparities. Competition in the Single European Market is again looked upon both as an opportunity and threat for the spatial development within the territory of the EU as it carries the potential to lead to competition between regions, cities and local authorities with respect to economic activities, jobs and infrastructure.

Accordingly, long-term spatial development trends in the EU are influenced by three factors:

- the progressive economic integration and related cooperation between the Member States,
- the growing importance of local and regional communities and their role in spatial development, and
- the likely enlargement of the EU and the development of closer relations with its neighbours.

Therefore, spatial development issues in the EU can, in future, only be resolved through cooperation between different governmental and administrative levels. Together with the progressive European integration, one can observe the development of closer relations between the regions themselves and between the regions and the national and European authorities. This means cities and regions are becoming more dependent, both on global trends and decisions taken at the EU level. New forms of cooperation proposed in the ESDP should, in future, contribute towards a co-operative setting up of sectoral policies – which up to now have been implemented independently – when they affect the same territory. The active cooperation of cities and regions is required to be able to realise the objectives of the EU in a citizen-friendly way. The subsidiarity principle rooted in the Treaty on EU also demands the active participation of these local administrations (CEC, 1999, p.11).

The territory of the EU is under the risk of

- growing regional disparities amongst Member States
- increasing unemployment patterns
- steady increase in passenger and goods transport due to the growing economic integration and internal trade within the EU, resulting in regional pressures on settlements and transport infrastructure.
- growing CO₂ emissions due to the traffic volumes and an inefficient organisation of settlement structures
- economic and social modernisation processes that endanger the natural and cultural heritage in the EU

Considering these risks for the future of the European territory, economy and society, in 1994, the Ministers responsible for spatial planning agreed on three policy guidelines for the spatial development of the EU:

- development of a balanced and polycentric urban system and a new urban-rural relationship;
- securing parity of access to infrastructure and knowledge;
- sustainable development, prudent management and protection of nature and cultural heritage.

The objectives set out in the ESDP should be followed by the European institutions and government and administrative authorities at national, regional and local level. The strengthening of weaker areas of the EU and improving the quality of life in areas with different development levels, presents an enormous challenge. Therefore, the objectives set out in relation to development, balance and protection must be well considered. It should be noted that policy aimed entirely at balance would lead to economic weakening of stronger regions and, at the same time, increase the dependency of less favoured regions. Development alone would lead to an increase of regional disparities. An overemphasis on protection or preservation of spatial structures, on the other hand, bears the risk of stagnation since it might slow down modernisation trends. In line with this, it is stated that the ESDP is consistent with the general political principles specified in 1994 and aims to

- contribute to the achievement of the goal of economic and social cohesion,
- contribute to the implementation of Community policies which have a territorial impact, but without constraining the responsible institutions in exercising their responsibilities,
- contribute to the achievement of sustainable and balanced development,

- respect existing institutions and be non-binding on Member States,
- respect the principle of subsidiarity,

be flexible in letting each country take it forward according to the extent it wishes to take account of European spatial development aspects in its national policies (CEC, 1999, p.11).

Although the ESDP portrays the European integration as an opportunity in the reshaping of the European territory, its consequences, the emergence of numerous sectoral policies to guide the development of the European territory that lack any harmonization with the emerging spatial policy is looked upon as a threat to spatial development of the EU. It is indicated that Community measures can modify the spatial structure and potentials in the economy and society thereby altering land use patterns and landscapes. In addition, these measures may influence the competitive position or spatial significance of a city or region within the European economic system and settlement pattern.

For this purpose the ESDP devotes a chapter to the growing importance of EU policies with a spatial impact and highlights the treaty headings with implications for spatial development in the EU as:

- Community Competition Policy;
- Trans-European Networks (TEN);
- Structural Funds;
- Common Agricultural Policy (CAP);
- Environment Policy;
- Research, Technology and Development (RTD);
- Loan Activities of the European Investment Bank.

Particular significance is attached to the Structural Funds, the Trans-European Networks and environment policy, since they have the most direct effect upon development activities in the European regions. The spatial development concept is rooted in the Treaty on European Union (1992) whereas a harmonious, balanced and sustainable development is acknowledged as one of the essential aims of the European Community in the Amsterdam Treaty (1997). The promotion of social and territorial cohesion is, within their respective competencies, a Community and Member State task. Article 2 of the Amsterdam Treaty emphasises the significance of environmental protection and of improvement in environmental quality as Community tasks. The Common Agricultural Policy (CAP) and the Structural and Cohesion Funds, are from a financial perspective, the most important policy measures of the EU.

In most cases, the objectives of EU policies - as defined in the Treaties – do not have a spatial character. Yet, they have a significant impact on the territory of the EU. The spatial impact depends on the specific method of intervention whether it is of a financial, legislative or planning nature. In addition, a number of Community policies directly influence the behaviour of economic players. Moreover, their actions are partly determined by market forces, which are in turn reinforced by the Single Market. The diversity of the methods of intervention of Community policies means that it is difficult to measure spatial impact. The ESDP can be an initial basis for their assessment.

In the second section of Part A, the ESDP looks at the EU policies with spatial impact. The first one is the competition policy set up to propose a series of rules at EU level. The competition measures have effects on the geographical distribution of economic activities and on patterns of trade throughout the EU. For

example, market liberalisation can increase the competition between cities and regions often in favour of areas with better locational conditions. Commission policy recognises that there is a need to intervene to ensure equilibrium between competition and general interest objectives.

The EU Treaty obliges the Community to contribute to the organisation and development of Trans-European Networks (TENs) in the areas of transport, telecommunications and energy supply infrastructure. This consent should, in particular, serve the Community objectives of a smooth functioning of the Single Market as well as the strengthening of economic and social cohesion. In order to fulfil this mandate, the integration of national networks, as well as access to the networks, should be improved, particularly by connecting isolated and peripheral areas to the central regions. TEN-transport measures are the most relevant in spatial development policy and in financial terms. They focus on a well functioning and sustainable transport system. Indeed, rising traffic levels, in particular on road and air networks, are threatening the competitiveness of some central areas in the EU. It is becoming increasingly clear that increases in traffic can no longer be managed by expansion of road infrastructure alone. Spatial development policy and urban development measures have a role to play in influencing the behaviour of local business and the population in order to improve the possibilities for a shift from road traffic to the environmentally friendly transport modes, local public transport, cycling and walking. A large number of different initiatives are also required in long-distance traffic, in particular by increasing the shift to rail, inland waterways and coastal and maritime transport (CEC,1999,p.13).

Modern telecommunications technology and services offer the possibility of supporting development in rural or inaccessible regions. They can help overcome

spatial disadvantages and improve lifestyles, as well as local conditions for economic activities through teleworking, distance learning and teleshopping. The promotion of new innovative telecommunications services and applications is one of the objectives of trans-European networks, which are likely to have an impact on spatial development. Initial signs of liberalisation, however, indicate that competition and commercial use are steering investment towards areas with high demand, since they appear to be the most promising. More remote regions with little market potential are threatened by further decline. Community initiatives are designed to ensure the availability of universal services at reasonable prices, in order to counteract this development. Yet the availability of information and communications technologies alone is not sufficient to produce positive regional developments.

Other preconditions include, for example, the level of qualifications and training or the promotion of public awareness of the potential of the information society. Despite considerable progress in recent years, spatial differences in telecommunications still exist both between regions in centrally situated Member States and cohesion countries as well as within Member States themselves (CEC,1999,p.14-15)

TEN measures in the energy sector influence spatial organisation through two main mechanisms: the production and transmission of energy influencing land use and the distribution of energy and consumption technologies influencing the organisation of the territory via induced changes in consumers' behaviour. For both electricity and gas trans- European networks, the routing of lines or establishment of power plants, for example, fundamentally impact on local planning. In addition, gas supply networks require important local storage capacities, usually in underground storage facilities whose location follows geological criteria, which limits the

available options for spatial development. Particularly promising, from a spatial development perspective, are renewable energies. Whilst they help to reduce the environmental impact of the energy sector, they favour power system decentralisation and locally applicable solutions more or less independent of the distribution network, thereby reinforcing the flexibility of the system and the economic power supply to remote areas (CEC,1999,p.16).

Another community policy with a spatial impact is the structural funds. The Structural Funds – and the European Regional Development Fund (ERDF) in particular – follow the objective of economic and social cohesion. The programme-based system of the structural funds offers the opportunity to design integrated development plans. This is how spatial development policy opportunities can be better valorised. The integrated approach is further reinforced by the principle of partnership, which mobilises, according to national rules and current practice, all relevant regional players in the decision-making process. This improves co-ordination of direct promotion measures with non-eligible projects. Coastal areas have been recognised as deserving special attention since they are, in part, subject to intense pressures and conflicts between competing land uses. The integration of the Financial Instrument for Fishery Guidance (FIFG) into the Structural Funds and the additional eligibility of Fishery Dependent Areas (FDAs) under the regional fund, marks a fundamental evolution from a sectoral policy into an integrated policy for coastal areas. In addition, the Community initiative PESCA contributes actively to redirecting people and firms of FDAs towards new activities and diversifying the structure of FDAs -restructuring harbours towards multi-activity areas of a maritime nature, combining fisheries or aquaculture with tourism, etc- (CEC,1999, p.16).

The Common Agricultural Policy (CAP) which is primarily designed to improve the productivity of agriculture in the EU member states also exerts influence on spatial development pattern of the territory of the EU. Studies on the spatial impact of the CAP on incomes, the labour market, infrastructure and natural resources reveal the close and specific relationship between agriculture and the countryside. In this respect, the CAP determines the development of many rural areas. Its impact varies a great deal from region to region depending on the specific environmental, cultural, and socio-economic conditions and partly on the types of production and market organisation. The intensification, concentration and specialisation of production in agriculture also has negative effects on spatial development: for example, monotonous landscapes, abandonment of traditional management methods, the use of large areas of wetland, moorland and natural rough pasture, pollution of ground water by increased use of pesticides and fertilisers, and reduction in biological diversity. Attempts have been going on for nearly two decades to integrate agricultural policy with the broader economic and social context of rural areas.

A further reason why improved co-ordination between policy areas seems necessary for development in rural areas is that the enlargement of the EU and the continuation of world trade talks are likely to lead to greater competition in global markets, thereby, increasing the pressure to intensify production in certain regions. This may have considerable negative effects on the environment. In turn, agricultural activity in rural areas with a weak economy will continue to be exposed to economic pressure, thus increasing the need for better strategies for spatial development (CEC,1999, p.16-17).

Together with the Amsterdam Treaty which stressed the importance of environmental issues and the need to integrate environmental protection requirements into the implementation of Community policies and activities, particular attention is paid to the promotion of sustainable development. The tasks of Community environment policy contain provisions which put particular emphasis on links with spatial development and, in particular, land use. For example, the EU-wide designation of protected areas is intended to give rise to a programme called “Natura 2000”. This consists of bird conservation habitats and species which should be protected, while taking into account socio-economic and regional requirements intended to preserve certain types of natural areas and specific varieties as well as re-creating stocks of flora and fauna. The EC Nitrate Directive is aimed at reducing existing nitrate pollution from agricultural land and preventing further ground water pollution. A variety of other Community activities have an indirect effect upon land use and spatial development, such as Directive 85/337/EEC, which specifies that environmental impact assessments for large projects have to be carried out and published; the definition of a range of other directives defining quality standards for areas close to natural surroundings; and the regulations aimed at reducing emissions. Moreover, the Commission launched in 1996 the Demonstration Programme on Integrated Coastal Zone Management (ICZM) which promotes sustainable management through cooperation and integrated planning, involving all the relevant players at the appropriate geographic level. It represents a first attempt at the Community level to pursue an integrated territorial approach and to develop recommendations for a European strategy for integrated coastal zone management.

Over the years, Community environment policy has paid increasing attention to the development of urban areas via legislation on waste and water treatment, noise

and air pollution. For example, noise limits are often incorporated into national abatement laws and land use planning methods, thus influencing new infrastructure developments. Similarly, concentration limits for air pollutants can have direct impacts on urban development and industrial areas. Environment policy requirements are becoming important locational factors when it comes to setting up or relocating businesses. Community provisions may have, for certain Member States, considerable implications not just from an ecological point of view but also from an economic one (CEC, 1999, p.17)

Another major policy area with a spatial impact is the Research and Technological Development (RTD). Organised around a multiannual Framework Programme composed of various RTD and demonstration programmes, Community RTD policy promotes cooperation with and between companies, research centres and universities with a view to reinforcing the scientific and technological foundations of industry and its competitiveness on the world stage. It also aims at cooperation with third countries and international organisations, diffusion and utilisation of RTD policy results and stimulation of training and mobility of the researchers of the Community. Projects being selected irrespective of regional criteria, the regional distribution of funds is shaped by the geographic distribution of top research and technology institutions across the cities and regions within the EU. Nevertheless, it would be premature to deduce from this that Community policy in respect of RTD ignores the less developed regions and concentrates exclusively on the highly developed regions with their strong economies, in which the majority of institutions receiving promotional assistance can naturally be found. For example, a remarkably high number of institutions which have been founded and funded during the last 15 years come from the less favoured regions of the Union. Moreover, training and

mobility incentives for researchers in disadvantaged regions offer greater opportunities for co-operating with regions which have diverse research centres. Nevertheless, this requires close cooperation between local, regional and national players together with targeted regional/ town/city marketing initiatives. The ESDP can act here as a framework for suitable cooperation (CEC, 1999, p.18).

In recent years, the Community has also run structural promotion schemes increasingly outside its budget by issuing loans through a variety of EC institutions. The European Investment Bank (EIB) plays the key role here. With the same financial volume, loans can reach a larger number of target parties than grants. As loans have a greater “incentive effect”, a larger number of investment projects can be promoted. Contributions on the part of loan recipients in the form of interest payments and capital repayments also increase the efficiency of this in terms of economic policy. Finally, there is the opportunity to use loans for long-term projects, particularly for infrastructure projects. Their financing by means of loans has the fiscal benefit of growth effects within the wider economy which can be used for interest payments and capital repayments in the form of higher tax revenues. The main objective of the EIB is the promotion of the development of both infrastructure and investments in less favoured regions of the EU. For this reason, loans could contribute in a significant way to the managing of future enlargement towards the East by modernising the spatial structure (CEC, 1999, p.18).

Consequently, although most Community policies have no immediate spatial character they are supported by a number of spatial concepts, which can be differentiated as follows:

- Delimitation of areas eligible for financial support

These areas determine the interventions of spatial structural policies as well as the possibility of national financial aids with a regional purpose; such as, for example, the eligible areas under the regional fund.

- Improvement of infrastructures

Certain Community policies intervene by financing infrastructures which exert a direct impact on the territory. This is the case, for example, with the trans-European networks, in particular in the transport and energy sectors, both in their linear (e.g. motorways, high-voltage lines) and location-related infrastructure (e.g. centres for freight transport, power stations) aspects.

- Using spatial categories

A number of Community policies make use of spatial categories, for example in the implementation of legal provisions in the field of environmental protection (e.g. areas selected for protecting given habitats and species of fauna and flora under the network Natura 2000), in the allocation of specific aids (e.g. mountain regions, whose agriculture is also supported by a specific directive; and islands according to Article 130a of the Amsterdam Treaty)

- Development of functional synergies

Within the framework of some Community policies, spatial elements are taken into account to establish functional interdependencies and to emphasise synergies. Thus, research in the field of transport considers interactions between the use of the territory and transport demand or the requirements of sustainable mobility concerning the choice of transport mode. Regional policy attempts to promote regional innovation strategies in line with local needs; energy policy is dealing with the exploitation of solar energy in harmony with town planning objectives.

- Integrated spatial development approaches

Beyond the simple acknowledgement of functional interactions and the development of the synergies which can result, a number of Community activities try to develop integrated and multisectoral approaches with a strong spatial dimension. This is true of the Community initiative on Transnational Cooperation in the field of Spatial Development (INTERREG II C); of the policy for the integrated development of rural areas (LEADER); and the Demonstration Programme on Integrated Coastal Zone Management (ICZM). Yet these ambitious integrated development approaches are still relatively few (CEC, 1999, p.19)

Because of development disparities and the way in which Community policies affect individual regions, local communities and regions of the EU are not automatically converging to a regionally balanced territory in the wake of EMU. It is, therefore, more important to take spatially differentiated measures and the opportunity presented by European integration to achieve sustainable and, thus, territorially balanced development of the EU.

For this purpose, the ESDP puts forth spatial development aims and policy options that can be taken into consideration by all authorities and government agencies involved. Reflecting these aims and options in spatially significant sectoral policies at Community, national, regional and local levels can ensure that, besides the implementation of sectoral objectives, spatial development guidelines for the territory of the EU are also taken into consideration at an early stage in the policy process.

Appendix B: Policy Options

POLICY OPTIONS	
<p>Polycentric Spatial Development and a New Urban-Rural Relationship</p> <p>With past enlargements, and the prospect of future extensions, the EU is now of a size and diversity which demands a spatial development strategy. The concept of polycentric development has to be pursued, to ensure regionally balanced development, because the EU is becoming fully integrated in the global economy. Pursuit of this concept will help to avoid further excessive economic and demographic concentration in the core area of the EU. The economic potential of all regions of the EU can only be utilized through the further development of a more polycentric European settlement structure. The greater competitiveness of the EU on a global scale demands a stronger integration of the European regions into the global economy.</p>	1. Strengthening of several larger zones of global economic integration in the EU, equipped with high-quality, global functions and services, including the peripheral areas, through transnational spatial development strategies.
	2. Strengthening a polycentric and more balanced system of metropolitan regions, city clusters and city networks through closer cooperation between structural policy and the policy on the Trans-European Networks (TENs) and improvement of the links between international/national and regional/local transport networks.
	3. Promoting integrated spatial development strategies for city clusters in individual Member States, within the framework of transnational and cross border cooperation, including corresponding rural areas and their small cities and towns.
	4. Strengthening cooperation on particular topics in the field of spatial development through cross-border and transnational networks.
	5. Promoting cooperation at regional, cross-border and transnational level; with towns and cities in the countries of Northern, Central and Eastern Europe and the Mediterranean region; strengthening North-South links in Central and Eastern Europe and West-East links in Northern Europe.
<p>Dynamic, Attractive and Competitive Cities and Urbanised Regions</p> <p>The regions of the EU can only be competitive and hence contribute to the reduction of unemployment if towns and cities, especially those outside the global integration zones and metropolitan regions, have enough economic potential. These include, in particular, the so-called “gateway cities”, which provide access to the territory of the EU (large sea ports, intercontinental airports, trade fair and exhibition cities, cultural centres); and smaller towns and cities which are active regional centres revitalising rural regions in decline. Many of the less dynamic towns and cities of the EU have a relatively narrow economic basis dominated by a single economic sector, whose decline has a negative impact on</p>	6. Expansion of the strategic role of metropolitan regions and “gateway cities”, giving particular attention to the development of peripheral regions of the EU.
	7. Improvement of the economic basis, environment and service infrastructure of cities, particularly in economically less favoured regions, in order to increase their attractiveness for mobile investment.
	8. Promotion of an economic diversification strategy in cities which are too dependent on a single branch of economic activity, and support for the economic development of towns and cities in less favoured regions.
	9. Promotion of integrated urban development strategies sensitive to social and functional diversity. Particular attention should be given to fighting social exclusion and the recycling and/or restructuring of underused or derelict urban sites and areas.

<p>the whole regional economy. The competitiveness of these towns and cities depends thus on a policy of diversifying their economic bases. The future prospects of the surrounding rural areas are also based on competitive towns and cities.</p>	<p>10. Promotion of a wise management of the urban ecosystem.</p> <p>11. Promotion of better accessibility in cities and metropolitan regions through an appropriate location policy and land use planning that will stimulate mixing of urban functions and the use of public transport.</p> <p>12. Support for effective methods of reducing uncontrolled urban expansion; reduction of excessive settlement pressure, particularly in coastal regions.</p>
<p>Indigenous Development, Diverse and Productive Rural Areas</p> <p>Rural areas in the EU are characterised by diversity and indigenous development. The success of many rural regions in the EU demonstrates that countryside-based activity is not in itself a hindrance to dynamic economic development and employment growth. There are rural regions which have developed a relatively good competitive position in agriculture or tourism. However, a number of rural areas have not yet managed to achieve structural change and have considerable economic problems, often due to their peripheral location. In a polycentric urban system the small and medium sized towns and their inter-dependencies form important hubs and links, especially for rural regions. In rural “problem” regions only these towns are capable of offering infrastructure and services for economic activities in the region and easing access to the bigger labour markets. The towns in the countryside, therefore, require particular attention in the preparation of integrated rural development strategies.</p>	<p>13. Promotion of diversified development strategies, sensitive to the indigenous potentials in the rural areas and which help to achieve an indigenous development (including the promotion of multifunctionality in agriculture). Support of rural areas in education, training and in the creation of non-agricultural jobs.</p> <p>14. Strengthening small and medium-sized towns in rural areas as focal points for regional development and promotion of their networking.</p> <p>15. Securing sustainable agriculture, application of environmental measures and diversification of agrarian land utilisation.</p> <p>16. Promotion and support of cooperation and information exchange between rural areas.</p> <p>17. Use of the potential for renewable energy in urban and rural areas, taking into account local and regional conditions, in particular the cultural and natural heritage.</p> <p>18. Exploitation of the development potential of environmentally friendly tourism.</p>
<p>Urban-Rural Partnership</p> <p>Many local problems cannot be solved nowadays without an integrated way of looking at towns and countryside, since they tend to be regional problems. Practical partnership expresses itself through cooperation and co-ordination. However, in order for cooperation to grow into a long-term successful partnership, several preconditions have to be created:</p> <ul style="list-style-type: none"> • the equality and independence of the partners; • voluntary participation in partnership; • consideration of different 	<p>19. Maintenance of a basic supply of services and public transport in small and medium-sized towns in rural areas, particularly those in decline.</p> <p>20. Promotion of cooperation between towns and countryside aiming at strengthening functional regions.</p> <p>21. Integrating the countryside surrounding large cities in spatial development strategies for urban regions, aiming at more efficient land use planning, paying special attention to the quality of life in the urban surroundings.</p> <p>22. Promotion and support of partnership-based cooperation between small and medium-sized towns at a national and transnational level through joint projects and the mutual</p>

<p>administrative conditions; and</p> <ul style="list-style-type: none"> • common responsibility and common benefit. 	<p>exchange of experience.</p>
	<p>23. Promotion of company networks between small and medium-sized enterprises in the towns and countryside.</p>
<p>Parity of Access to Infrastructure and Knowledge <u>An Integrated Approach for Improved Transport Links and Access to Knowledge</u> Urban centres and metropolises need to be efficiently linked to one another, to their respective hinterland and to the world economy. Efficient transport and adequate access to telecommunications are a basic prerequisite for strengthening the competitive situation of peripheral and less favoured regions and hence for the social and economic cohesion of the EU. Transport and telecommunication opportunities are important factors in promoting polycentric development. Efficient transport and telecommunication systems and services have a key role in strengthening the economic attractiveness of the different metropolises and regional centres</p> <p><u>Polycentric Development Model: A Basis for Better Accessibility</u> The future extension of the Trans-European Networks (TENs) should be based on a polycentric development model. That means, in particular, ensuring the internal development of the globally important economic integration zones and facilitating their integration into the global economy. In addition, more attention should be paid to regions with geographical barriers to access, especially islands and remote areas. Spatial differences in the EU cannot be reduced without a fundamental improvement of transport infrastructure and services to and within the regions where lack of access to transport and communication infrastructure restricts economic development.</p>	<p>24. Strengthening secondary transport networks and their links with TENs, including development of efficient regional public transport systems.</p>
	<p>25. Promotion of a spatially more balanced access to intercontinental transport of the EU by an adequate distribution of seaports and airports (global gateways), an increase of their service level and the improvement of links with their hinterland.</p>
	<p>26. Improvement of transport links of peripheral and ultra-peripheral regions, both within the EU and with neighbouring third countries, taking into account air transport and the further development of corresponding infrastructure facilities.</p>
	<p>27. Improvement of access to and use of telecommunication facilities and the design of tariffs in accordance with the provision of “universal services” in sparsely populated areas.</p>
	<p>28. Improvement of cooperation between transport policies at EU, national and regional level.</p>
	<p>29. Introduction of territorial impact assessment as an instrument for spatial assessment of large infrastructure projects (especially in the transport sector).</p>
<p><u>Efficient and Sustainable Use of the Infrastructure</u> The current growth of passenger and goods transport (in particular in road and air transport) has an increasingly adverse impact on the environment and the</p>	<p>30. Better co-ordination of spatial development policy and land use planning with transport and telecommunications planning.</p>
	<p>31. Improvement of public transport services and provision of a minimum level of service in</p>

<p>efficiency of transport systems. Approaches for relieving these systems are possible through an appropriate spatial development policy, which influences the location of employment and population and therefore mobility requirements and choice of transport mode. More efficient use of existing infrastructure can be achieved by strengthening environmentally friendly transport systems and promoting intermodal transport chains. However, this objective must be achieved without negative effects on the competitiveness of both the EU as a whole and its regions. The integration of transport and detailed planning of land use can be particularly effective in the large urban regions, where the dependence of the population on the car could be greatly reduced. A policy which favours the use of public transport in cities and their hinterland and in densely populated regions is necessary.</p>	<p>small and medium-sized towns and cities.</p> <p>32. Reduction of negative effects in areas subject to high traffic pressure by strengthening environmentally compatible means of transport, levying road tolls and internalising external costs.</p> <p>33. Promoting the interconnection of inter-modal junctions for freight transport, in particular for transport on the European corridors, especially regarding shipping and inland navigation.</p> <p>34. Co-ordinated and integrated infrastructure planning and management for avoiding inefficient investments (for example superfluous parallel development of transport infrastructure) and securing the most efficient use of existing transport infrastructure.</p>
<p><u>Diffusion of Innovation and Knowledge</u> Access to knowledge has the same importance for the competitive situation of the EU as access to infrastructure. Regionally interdependent labour markets and production and service locations require dynamic innovation systems; effective technology transfer; and institutions for training their workforces. Despite the progress of the past decade, which created the climate for new technologies and also provided improved training opportunities and specialist knowledge, access to knowledge and the capacity for innovation are still spatially unbalanced. The awareness of the population of the opportunities offered must also be strengthened. Governments (at all levels) must ensure that there are better links between education and research and the requirements of regional economic structures.</p>	<p>35. Wide-ranging integration of knowledge-relevant policies, such as the promotion of innovation, education, vocational training and further training, research and technology development, into spatial development policies, especially in remote or densely populated areas.</p> <p>36. Securing Europe-wide access to knowledge-relevant infrastructure taking account of the socio-economic potential of modern SMEs as motors of sustainable economic development.</p> <p>37. Fostering networking among companies and the rapid diffusion of innovations, particularly through regional institutions that can promote innovations.</p> <p>38. Supporting the establishment of innovation centres as well as cooperation between higher education and applied R&D bodies and the private sector, particularly in economically weak areas.</p> <p>39. Development of packages of measures which stimulate supply and demand for improving regional access and the use of information and communication technologies.</p>
<p><u>Wise Management of the Natural and Cultural Heritage</u> <u>Natural and Cultural Heritage as a Development Asset</u> The cultural heritage of Europe – from the</p>	<p>40. Continued development of European ecological networks, as proposed by Natura 2000, including the necessary links between nature sites and protected areas of regional, national, transnational and EU-wide</p>

<p>cultural landscapes of rural areas to the historic town centres – is the expression of its identity and is of world-wide importance. Rigorous protection measures, such as those envisaged for architectural conservation for certain areas and monuments, can only cover a small part of this heritage. For the greater part, a creative approach is required. It is important to spread cultural life throughout the EU, in particular by supporting the development of cultural facilities, upgrading public spaces and reviving commemorative sites. The natural and cultural heritage are economic factors which are becoming increasingly important for regional development. The quality of life of towns and cities, their hinterland and rural areas plays an increasingly important role in the location decisions of new companies. Natural and cultural places of interest are also an essential precondition for the development of tourism.</p>	<p>importance.</p>
<p><u>Preservation and Development of the Natural Heritage</u></p> <p>The extent of protected areas in the EU has grown in the past ten years although most areas remain protected “islands”. The objective of a Community-wide network of protected areas – “Natura 2000”– incorporated in the Habitat Directive and other environmental directives is a very promising approach, which has to be harmonised at an early stage with regional development policy. In addition to protected areas, different types of environmentally sensitive areas also display great biological diversity – for instance mountainous areas, wetlands, coastal regions and islands. This opens up new development opportunities for the regions, for instance in the field of environmentally friendly tourism.</p>	<p>41. Integration of biodiversity considerations into sectoral policies (agriculture, regional policies, transport, fisheries, etc) as included in the Community Biodiversity Strategy.</p> <p>42. Preparation of integrated spatial development strategies for protected areas, environmentally sensitive areas and areas of high biodiversity such as coastal areas, mountain areas and wetlands balancing protection and development on the basis of territorial and environmental impact assessments and involving the partners concerned.</p> <p>43. Greater use of economic instruments to recognise the ecological significance of protected and environmentally sensitive areas.</p> <p>44. Promotion of energy-saving and traffic-reducing settlement structures, integrated resource planning and increased use of renewable energies in order to reduce CO2 emissions.</p> <p>45. Protection of the soil as the basis of life for human beings, fauna and flora, through the reduction of erosion, soil destruction and overuse of open spaces.</p> <p>46. Development of strategies at regional and transnational levels for risk management in disaster prone areas.</p>
<p><u>Water Resource Management – a Special Challenge for Spatial Development</u></p> <p>Water protection policy and water resource management have become a necessity. Policies for surface water and ground water must be linked with spatial development policy. Preventive measures for the reduction of waste water, over-utilisation and pollution of water resource should have preference over “end-of-</p>	<p>47. Improvement of the balance between water supply and demand, particularly in areas which are prone to drought. Development and application of economic water management instruments, including promotion of water-saving agricultural methods and irrigation technology in areas of water shortage.</p> <p>48. Promotion of transnational and interregional cooperation for the application of integrated strategies for the management of water resources, including larger ground water</p>

<p>pipe” technologies. Corresponding spatial and land use planning can make a decisive contribution towards the improvement of water quality. That is the reason why the impact of large water exploitation related projects should be examined through territorial and environmental impact assessments.</p>	<p>reserves in areas prone to drought and flooding, particularly in coastal regions.</p> <p>49. Preservation and restoration of large wetlands which are endangered by excessive water extraction or by the diversion of inlets</p> <p>50. Concerted management of the seas, in particular, preservation and restoration of threatened maritime ecosystems.</p> <p>51. Strengthening of regional responsibility in water resource management.</p> <p>52. Application of environmental and territorial impact assessments for all large-scale water management projects</p>
<p><u>Creative Management of Cultural Landscapes</u></p> <p>A common feature of many European landscapes is their constant further development. However, this tends to lead to more uniformity in landscapes and the loss of biodiversity. A small number of places should be placed under protection as unique examples of historical cultural landscapes. Protection measures are also required for elements which are particularly typical of older landscapes. In a similar way historic paths which lead through different countries, such as the pilgrims’ path to Santiago de Compostella or the Italian “Via Francigena”, are of such great value that they should be placed under protection.</p>	<p>53. Preservation and creative development of cultural landscapes with special historical, aesthetical and ecological importance.</p> <p>54. Enhancement of the value of cultural landscapes within the framework of integrated spatial development strategies.</p> <p>55. Improved co-ordination of development measures which have an impact on landscapes.</p> <p>56. Creative restoration of landscapes which have suffered through human intervention, including recultivation measures.</p>
<p><u>Creative Management of the Cultural Heritage</u></p> <p>Europe’s cultural heritage not only consists of individual historic buildings and archaeology sites. The different lifestyles of inhabitants of European towns and cities have to be viewed in their entirety, as a part of the cultural heritage. Many European cities are subject to the dangers of commercialisation and cultural uniformity, which destroys their own individuality and identity. This includes, for example, infrastructure projects which are out of scale with their environment. Such developments combine to cause serious damage to the structure and the social life of towns and cities. Spatial development strategies can help to counter these dangers.</p>	<p>57. Development of integrated strategies for the protection of cultural heritage which is endangered or decaying, including the development of instruments for assessing risk factors and for managing critical situations.</p> <p>58. Maintenance and creative redesign of urban ensembles worthy of protection.</p> <p>59. Promotion of contemporary buildings with high architectural quality.</p> <p>60. Increasing awareness of the contribution of urban and spatial development policy to the cultural heritage of future generations.</p>