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MIND THE GAP:

SPATIAL PLANNING SYSTEMS IN THE WESTERN BALKAN REGION

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Abstract

Starting in the 1990s, an increasing number of studies and reports have focused on examining the nature and characteristics of spatial planning in Europe. The geographical coverage of these comparative analyses broadened over time, paralleling the progression of EU integration. However, the Western Balkan countries were only vaguely mentioned within such studies, mostly due to their fragmentation and geopolitical instability. This paper analyses and compares spatial planning systems in the Western Balkan Region since the 1990s. More specifically, it presents an overview of the geographical and socio-economic situation, explores administrative and legal frameworks for spatial planning, analyses spatial planning instruments produced at each territorial level, and addresses future challenges. Through so doing this paper exposes the complexity of the subject and sets a base for further research.

Keywords

Spatial planning system, Western Balkan Region, European integration, transition.

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1. Introduction

Modern spatial planning systems arose as a consequence of the Industrial Revolution, when increasing urbanisation rates and the movement of population away from agriculture towards industrial and service sectors created substantial development pressures across countries. As a response, most governments established procedures to channel these pressures and resolve conflicts between competing land uses. Over time legislation was introduced in each country to establish the principle whereby public authorities were empowered to monitor and control territorial development and prepare plans. From this, spatial planning systems may be defined as comprising a system of institutions that allow and determine the spatial organisation of social and economic life within a particular national context, through multiple processes of vertical and horizontal coordination (Janin Rivolin, 2012). The evolution and consolidation of spatial planning systems occurred at different times in different European countries from the late nineteenth century onwards. These processes depended on political attitudes and the acceptability of public powers over land regulation and development, as well as varying perceptions with regard to the value of planning.

A proliferation of comparative studies on spatial planning systems in the European Union (EU) has occurred since the late 1980s (Davies et al., 1989, Newman and Thornley, 1996; CEC, 1997; Nedović-Budić, 2001; ESPON, 2006; COMMIN, 2007; Reimer, Getimis and Blotevogel, 2014; ESPON and TU Delft, 2016). Over time, such studies broadened their geographic scope to include the new countries joining the enlarging EU (Table 1). However, due to the geopolitical instability of the area, the countries of the Western Balkan Region (hereafter WBR) were left out from almost all comparative accounts. For the purpose of this paper, the WBR is considered to comprise:[1] Albania (ALB), Bosnia & Herzegovina (BiH), Kosovo[2] (XKX), the Former Yugoslavian Republic of Macedonia (MKD), Montenegro (MNE) and Serbia (SRB) (Figure 1).[3] With many of these countries soon to become full EU member states, their systematic exclusion constitutes a clear knowledge gap in the empirical analysis and theoretical understanding of spatial planning in Europe. Despite some recent attempts (Berisha, 2018, Cotella and Berisha, 2016a, b), the evolution of spatial planning systems in the WBR remain generally ignored. This gap should be overcome if the EU wishes to promote an economic, social and territorial cohesion policy to the benefit of all its citizens (ESPON, 2015).

This paper reflects on the evidence collected by the authors in more than a decade of comparative spatial planning research in Europe and the WBR. Differently from the work of Cotella and Berisha (2016a, b), that compared only three countries (Croatia, ALB and BiH), this contribution compares the spatial planning systems of six countries in the WBR since the fall of their respective communist regimes. Here, the evolution of spatial planning systems is understood as a consequence of various driving forces. First, spatial planning models have been shaped by the transition from centrally planned to market-oriented economic models, and their progressive embedding within the broader globalisation and EU integration processes (Adams et al., 2011; Cotella and Janin Rivolin, 2010, 2015; Stead and Cotella, 2011). Secondly, each planning system is characterised by, and the complex path-dependency derived from, the specific national, historical, geographical and socio-economic contexts which determined the actual direction of transformation as a reaction to external and internal stimuli (Table 2; Figure 2, Figure 3).

Table 1: The Geographical Coverage of Comparative Analyses of Spatial Planning Systems in Europe.

Study	Geographical coverage
Davies et al., 1989	DE, DK, FR, NL, UK (England)
Newman and Thornley, 1996	AT, BE, DE, DK, FR, IE, IT, LUX, N, NL, PT, SE, UK, Eastern Europe
CEC, 1997	AT, BE, DE, DK, ES, FI, FR, GR, IE, IT, LUX, NL, PT, SE, UK
Nedović-Budić, 2001	CZ, HU, SL
ESPON, 2006	AT, BG, BE, CY, CZ, DE, DK, EE, ES, FI, FR, GR, HU, IE, IT, LT, LUX, LV, MT, NL, PL, PT, RO, SE, SK, SL, UK
COMMIN, 2007	BY, DE, DK, EE, FI, LT, LV, NO, PL, RU, SE
Reimer, Getimis and Blotevogel, 2014	BE (Flanders), CZ, DE, DK, FI, FR, GR, IT, NL, PL, TR, UK
ESPON and TU Delft, 2017	AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FL, FR, GR, HR, HU, ICE, IE, IT, LT, LUX, LV, MT, N, NL, PL, PT, RO, SE, SK, SL, UK

Source: Authors' elaboration

1 Country codes according to ISO-3166. https://laendercode.net/en/3-letter-list.html

2 The status of Kosovo is considered in this paper according to UN Security Council Resolution 1244.

3 Croatia is geographically part of the WBR. It has not been included in this research as it became a EU member state in 2013 and it is already covered by the ESPON COMPASS project.

Figure 1 - Western Balkan Countries Included in the Analyses
Source: Authors' elaboration

After this brief introduction, the paper provides an overview of spatial planning in the WBR during the socialist period and discusses the main drivers of change. Section Three explores and compares the spatial planning systems of WBR countries through several variables: (i) the administrative and legal framework for spatial planning and the main planning authorities involved (subsection 3.1); and (ii) the spatial planning instruments produced at each territorial level and the allocation of development rights (subsection 3.2). Section Four discusses the main findings that emerged from the analysis as well as future challenges. Finally, Section Five rounds off the contribution, recalling its main objectives and advancing the need for future research.

Table 2: Geographical and Economic Information

DATA	ALB	BiH	XKX	MKD	MNE	SRB
Territorial Surface (km²)	28 748	51 210	10 887	25 713	13 812	88 361
Population (2015)	2 889 167	3 810 416	1 801 800	2 078 453	622 159	7 095 383
Population Change 1990-2015 (%)	- 12.0	- 15.8	- 3.2	0.4	2.6	- 6.5
Urban Population 2015 (%)	57	39.7	49	57	64	55
Total GDP (Billion US$) 2015	13.2	18.3	6.8	10.1	4.5	40.2
GDP per Capita (USD) 2015	4543	4801	3785	5093	7268	5663
GDP growth 2014 - 2015 (%)	+2.8	+3	+3.9	+3.6	+3.1	+0.7

Source: Authors' elaboration from World Bank database

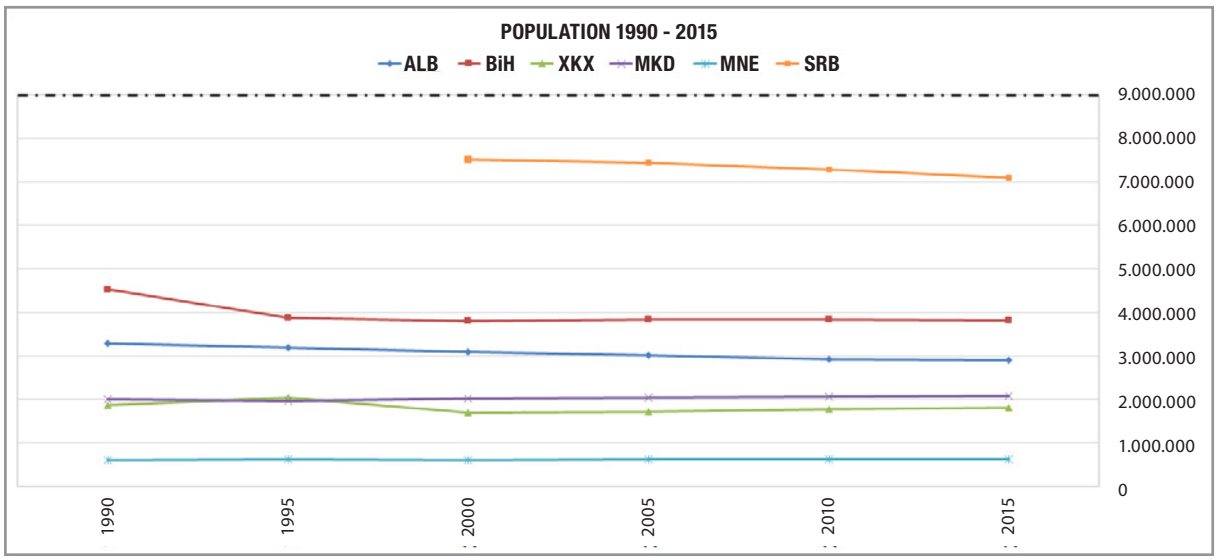

Figure 2 - Population Trends in the WBR
Source: Authors' elaboration from World Bank

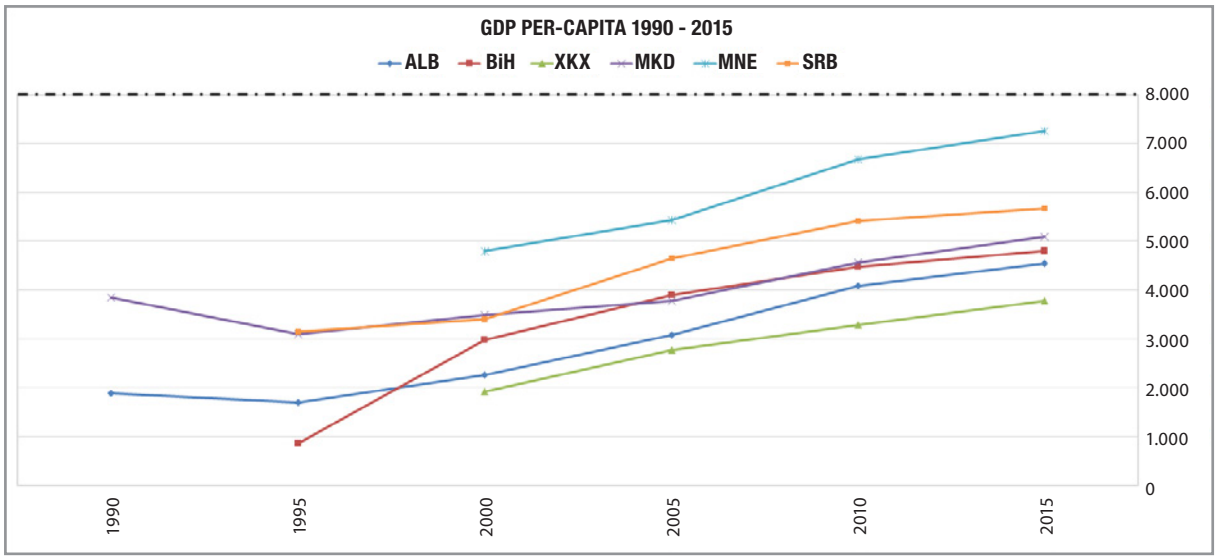

Figure 3 - GDP Per Capita Trends in the WBR
Source: Authors' elaboration from World Bank

2. Traditional Arrangements and Main Drivers of Change

Spatial planning after WWII in the countries of the WBR is often described as having been subordinate to central economic planning. The latter was a key function of communist and socialist states. However, some sources suggest that Eastern and Central European planning practice was influenced by the West and its patterns in physical planning, development and management (Pichler-Milanovich, 1994). Within the major spatial planning comparative studies, post-socialist countries have been generally excluded from analysis (EU Compendium, 1997), classified as part of a generic East European family (Newman and Thorney, 1996) or generally lumped under an umbrella of centralised planning systems. Even if that were generally true, there is more diversity between various spatial planning systems than these studies suggest (see, for instance: Cotella et al., 2012; Adams et al., 2014). Hence, the possibility to strictly categorise WBR countries within a broader context or planning family seems limited by the complexity and diversity that characterise their governmental structures, culture, history and law (Nedović-Budić, 2001). Such issues are elaborated upon in this section.

In this sense, ALB was characterised by a strong, top-down, communist model with centrally-controlled spatial planning, where local urban authorities had responsibility for development coordination but lacked decision-making power. In contrast, Yugoslavia detached itself from the Soviet centralised planning model during the 1950s and developed a participatory system of integral planning (Nedović-Budić, Djordjević and Dabović, 2011) that had a partially decentralised system within each of the individual republics (Hirt and Stanilov, 2009). The regime of the former Yugoslavia was a form of 'market-socialism' which operated through decentralised decision-making processes, with the municipality being the basic local government unit holding considerable executive power (Nedović-Budić, Djordjević and Dabović, 2011, p.430). Nevertheless, until the late 1960s, some of the main problems in planning practice in Yugoslavia were seen as bureaucratic, technocratic and political compliance in planning organisations and a lack of wide and transparent public participation (Petovar, 2012). Internally, the main driver of socialist development in this early post-WWII period was described as a renewal strategy, and had as its primary goals the restoration of the function of the urban tissue destroyed in the war and the provision of housing for new workers and their families who had migrated from rural to urban areas under state-sponsored industrialisation. The Albanian State continued to play a dominant role in planning and plan approval throughout the 1970s (Eskinasi, 1995); its 1976 Constitution banned private property completely and reduced public engagement to a symbolic role (Mele, 2011). By this time, in the former Yugoslavia, urban land was in societal (public) ownership, while most land in rural areas was privately owned. However, both ALB and the former Yugoslavia witnessed processes of land nationalisation under the communist government (Turnock, 1989). In both contexts, land ownership allowed the State to act as the main pillar of the urbanisation process, central investor, and initiator of urban development (Petovar, 2012).

In the former Yugoslavia post-WWII, planning professionals were mainly educated in the fields of engineering and architecture and operated in a technocratic manner that excluded any economic justification for planning proposals. Nevertheless, the profession evolved rapidly with the successful introduction of spatial planning degrees and an integrated approach to planning from the late 1970s (Cavrić, 2002). This coincided with the establishment of planning as a separate interdisciplinary field in both the practical and educational realms. In parallel to innovations in practice, the 1970s and 1980s saw the institutionalisation of extensive public participation that became a legally mandated element of the planning process, as was established by the Law on Planning and Construction in 1961 and 1974. The decentralised system that promoted cross acceptance in the decision-making process was practised in Yugoslavia for more than a decade ahead of some of the traditional market-economy societies (Cullingworth, 1997), with most scholars referring to this period as a golden age of planning and development (Vujošević and Petovar, 2006). Similar, although less radical, transformations of the planning system were evident in ALB by the mid-1980s as well (Nientied, 1998).

At the beginning of the 1990s, systematic regime changes, political pluralisation and socio-economic reforms were initiated in the WBR, as a consequence of the collapse of the Soviet Union and the subsequent dismantling of communist institutions in all satellite countries (Mojović, Čarnojević, and Stanković, 2009). Post-communist Europe saw a multi-dimensional process of transition to democracy, market and decentralised governance, as it became increasingly influenced by globalisation and Europeanisation processes (Tsenkova and Nedović-Budić, 2006; Faludi, 2014). The introduction of market economic principles occurred through a series of macroeconomic reforms that entailed rapid privatisation and the almost complete withdrawal of state aid. This, in turn, led to the shutting down of numerous production plants, growing unemployment and increasing social costs (Brada, 1993). The heterogeneity that already characterised the WBR countries was reinforced by these processes and the new economic systems that worsened the situation with the weakest countries widened regional disparities. At the same time, the disintegration of the former Yugoslavia during the 1990s and the Albanian civil war in 1997 emerged as major destructive and disruptive forces with regard to the ongoing process of transition. As argued in the following section, the transformation of spatial planning in each context depends on the given system's capability to follow and adapt to each transition process. The influence of each country's distinctive pre-socialist, socialist and post-socialist past contributed to the institutionalisation of a variety of spatial planning systems (Cavrić and Nedović-Budić, 2007; Nedović-Budić and Cavrić, 2007; Tsenkova and Nedović-Budić, 2006; Petrović, 2005; Tosics, 2004; Enyedi, 1998; Szelenyi, 1996).

3. Spatial Planning Systems in the WBR after 1989

The initial period of the post-socialist transition of 1990s in most countries of the WBR was characterised by a fluid, unregulated institutional framework. According to Hirt and Stanilov (2009, p.4), this 'institutional vacuum' was dominated by private economic interests that were close to the political establishment. Various authors claim that the transition was mostly characterised by extreme battles for capital manifested through the accumulation of, and grab for, resources, with urban land being a major target in this process (Vujošević, 2003). Within the complex framework of the political and economic transition, the privatisation of land and housing in ALB and almost all public housing stock in the former Yugoslavia took place (Hirt and Stanilov, 2009). At the same time, encroachment on public space and illegal construction rose substantially. In Yugoslavia this phenomenon worsened due to the social consequences of the war and, in particular, the increasing demand for housing by refugees and internally displaced persons (Žegarac, 1999). At the same time, ALB remained stuck with socialist procedures in obtaining building permits and intensified rural-urban migration that overwhelmed the capital city of Tirana, with 25 per cent of informal housing being developed during the 1990s (Deda and Tsenkova, 2006).

The turn of the millennium brought forward a renewed enthusiasm for the transition to democracy, economic liberalisation, marketisation and political decentralisation. This was also a consequence of the normalisation of the geopolitical tensions that had characterised the previous decade. As Figure 4 illustrates, most of the countries reformed and/or amended their legislative frameworks for spatial planning multiple times as a consequence of the growing influence of globalisation and the EU integration process. In addition, significant efforts were made in the attempt to accelerate the procedures of delivering construction permits, to adapt to administrative and institutional reorganisation, to introduce legislative procedures for the recognition of informal development practices, and to intensify public participation.

Within these evolving circumstances, planning professionals were expected to acquire new types of knowledge and skills with respect to market forces, while also being required to recognise and balance the variety of interests held by new stakeholders within the decision-making process (Vujošević and Nedović-Budić, 2006). The post-socialist transformation of WBR countries also means that spatial planning practice should be able to recognise and meet the specific needs of the local context in which it is carried out. Thus, it should be able to confirm the prevailing political culture and adapt to the institutional framework, acknowledge the resources and constraints of local development, and deal with a variety of interests, as well as the traditions that exist at both the national and local levels (Friedmann, 2004). In order to understand current tendencies and possible future trends related to spatial planning, the following subsections present and compare the key characteristics of spatial planning systems in the WBR countries that are the focus of this study.

3.1. Administrative Subdivisions and the Main Spatial Planning Authorities at Each Territorial Level

The current administrative organisations that exist within the countries included in this research have arisen as a result of the major processes of restructuring that started in the early 1990s. The process of post-socialist decentralisation led to a different administrative hierarchy in each country (Table 3). In most countries, administrative restructuring was driven by internal variables (above all, political, geographical, functional, economic and historical factors), with the exception of BiH and XKX, where a prominent role in state restructuring was directed by the international community.

In this regard, the Albanian administrative system is the result of recent territorial reforms implemented from 2014. The reforms reduced the number of local administrative units from 373 to 61 with the aim of improving coordination at the local level, as well as reducing existing territorial differences (primarily economic and demographic regional disparities). Presently, the government is engaged in reforming the number and role of Qarku (districts), reducing the present 12 districts to only three or four functional regions. In the case of BiH, the existing administrative subdivision is the result of the Dayton Peace Agreement signed in 1995. The agreement structured the BiH system into different levels: the central government, two independent entities – the Federation of Bosnia and Herzegovina (FBiH) and Republic of Srpska (RS) – while the Brčko District (BD) was introduced in 1999. In the FBiH only, there are further two additional levels: cantons and the local level, represented by the municipality and large cities such as Sarajevo. The territorial administration system of XKX includes only two levels of government, the national and the local; both were instituted for the first time in 2000 by the United Nations Mission in Kosovo (UNMIK) and later ratified by the Republic's Parliament in 2008. This subdivision aimed to reduce internal ethnic conflicts and recognised that 27 municipalities have an Albanian majority, 10 Serb and 1 Turkish (Mamusha). Similarly, the MKD and MNE administrative systems are characterised by two levels: the central and the local. However, MKD also introduced 8 statistical regions that include all the rural and urban municipalities, while the Special Law on the Territorial Organisation of MNE organised the territory in municipalities and the capital. Finally, the territory of SRB includes one autonomous province, Vojvodina, cities, municipalities, and the capital city of Belgrade as a special territorial unit. As shown, the territorial administration system differs from one country to another. The process of decentralisation contributed to the introduction of new administrative levels, as well as reorganising existing ones, and opening up new statistical regions (according to the European NUTS classification). Simultaneously, at the local level, the number of local units has been reduced, while more importance has been given to the main cities and capitals.

It is interesting to note that, in many cases, the process of decentralisation remains purely on paper; the central level still holds considerable power. Different from the other countries, in BiH the state-level institutions remain fundamentally weak, while the entities are largely autonomous.

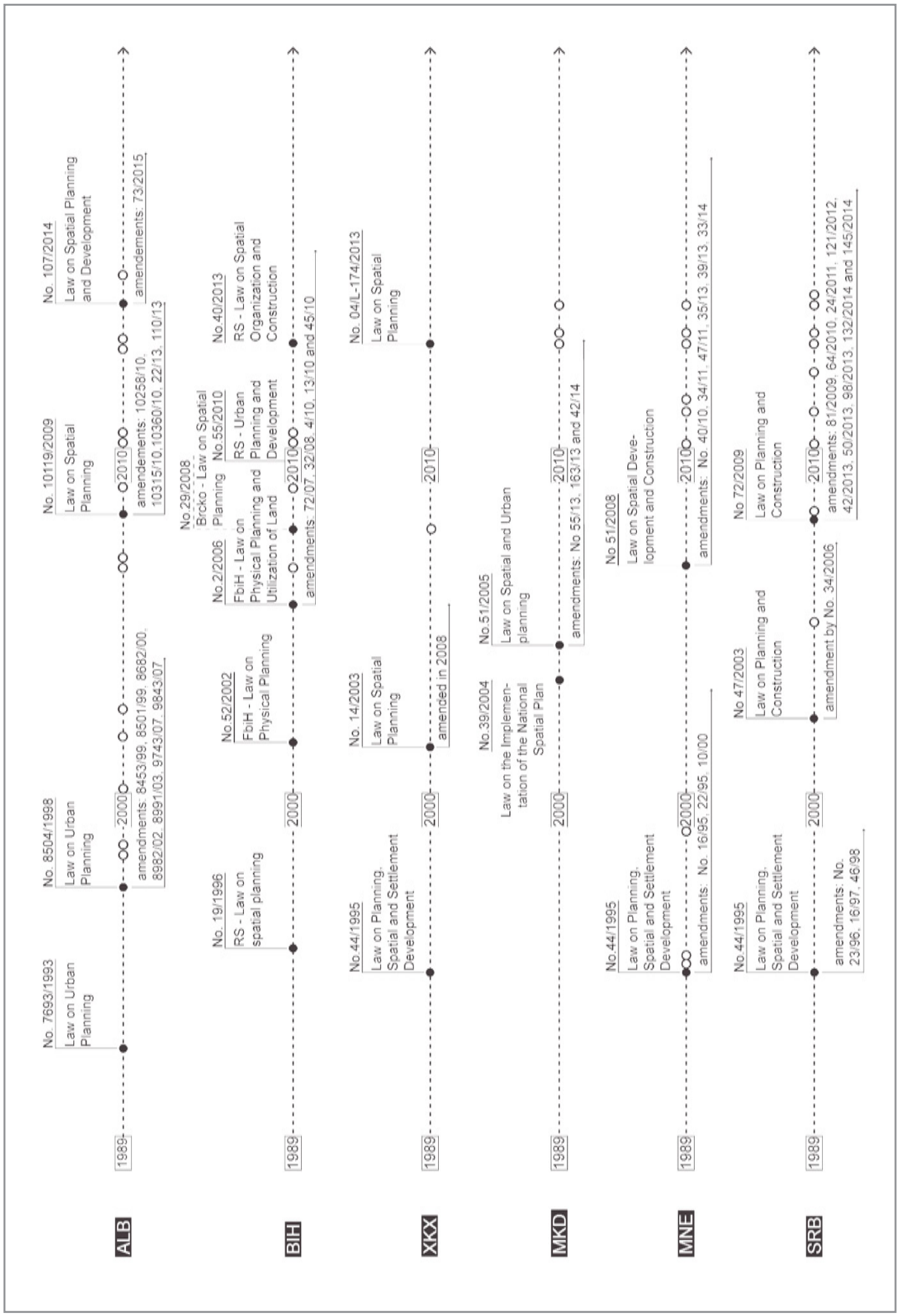

Figure 4 - The main spatial planning reforms between 1990 and 2017
Source: Authors' elaboration

Table 3: Administrative Subdivision of the Countries of the WBR

	ALB	BiH	XKX	MKD	MNE	SRB
Central	Albanian Government	Government of Bosnia Herzegovina	Government of Kosovo	Government of Macedonia	Government of MNE	Government of SRB
Meso Level 1	12 Qarku/District	Entities (FBiH and RS) ---------- District of Brčko	-	-	-	Autonomous Province of Vojvodina
Meso Level 2	-	FBiH – 10 Cantons	-	-	-	-
Local	61 Municipalities including the city of Tirana	FBiH - 79 Municipalities including the city of Sarajevo ---------- RS – 62 Municipalities including the city of Banja Luka	38 Municipalities including the city of Pristina	80 Municipalities including the city of Skopje	21 Municipalities including the city of Podgorica	150 Municipalities, 23 cities and the city of Belgrade

Source: Authors' elaboration

Specific administrative subdivisions in WBR countries were derived in line with their historical, geographical, and political evolution. In parallel, countries have developed and adjusted legislative frameworks for spatial planning and allocated bodies which hold responsibilities in relation to the distribution of competences at each administrative level (Table 4). In all countries, with the exception of BiH, there exists one or more ministries in charge of decision-making at the national level in the fields of urban development, environmental issues, and spatial planning. Some differences are present within the MNE ministry, which focuses its responsibilities on sustainable development and tourism, and the SRB ministry which positions spatial planning under the field of construction, traffic and infrastructure. It should be mentioned that the name of the Serbian ministry has changed several times since 1989. The Albanian spatial planning system allocates specific competences to the Council of Ministers and the Territorial Council at the national level. In addition, ALB and MKD feature a National Agency for Spatial Planning, while XKX and MNE feature Institutes for Urban Planning which operate at the national level and are specifically responsible for the development of spatial planning tools. A similar agency existed in Serbia until it was abolished in 2014. When it comes to the meso-level, XKX, MKD and MNE have no spatial planning authorities. In ALB, the Qarku councils hold specific planning competences in relation to each district. Serbia represents a particular case in relation to the other countries of the WBR. Although the country has no official regional administrative subdivision except for the Autonomous Province of Vojvodina, it adopted the international Nomenclature of Territorial Units for Statistics Level 2 (NUTS-2) as units of planning, but not as administrative units. Here the national government and the ministry are responsible for the adoption of Regional Spatial Plans (based on NUTS-2 division) and Spatial Plans of Special Purpose. Moreover, there is a Province Secretariat for Urbanism and Environmental Protection which is in charge of the territory of the Autonomous Province of Vojvodina.

Unlike other countries, the BiH meso-level represents the highest level of decision-making in the field of spatial planning. In Bosnia and Herzegovina both the FBiH and the RS feature ministries in charge of spatial planning. In particular, in the FBiH, spatial planning lies within the competence of the Federal Ministry for Physical Planning, while in the RS they are shared by the government, the National Assembly and the Ministry for Spatial Planning, Civil Engineering and Ecology. In Brčko District, the main authority is the Department for Spatial Planning and Property Legal Affairs. In addition to this, each canton of the FBiH (meso-level 2) features a cantonal ministry that shares spatial planning responsibilities with municipal authorities and planning departments at the local level.

Table 4: Main Bodies Responsible for Spatial Planning within Each Country

	ALB	BiH	XKX	MKD	MNE	SRB
Central	Council of Minister National Territorial Council Ministry of Urban Development National Territorial Planning and Development Agencies Other ministries competent	No planning authorities at the national level	Ministry of Environment and Spatial Planning Institute for Spatial Planning	Ministry of Environment and Spatial Planning Ministry of Transport and Communications Agency for Spatial Planning Communications Agency for Spatial Planning	Ministry of Sustainable Development and Tourism Republic Institute for Urban Planning	Ministry of Construction, Traffic and Infrastructure
Meso Level 1	Qarku Council	Entities' ministries and departments	-	-	-	Ministry of Construction, Traffic and Infrastructure Province Secretariat for Urbanism and Environmental Protection for Vojvodina
Meso Level 2	-	FBiH - Cantonal ministries in charge of physical planning	-	-	-	-
Local	Municipal administration (council, mayor, Department for Urban Planning) Private local planning agencies	Municipal administration (council, planning departments) Private local planning agencies	Municipal administration (authority responsible for spatial planning and management)	Municipal administration Local planning agency, local planning enterprises public and private	Municipal administration Local development agency, local planning enterprises public and private	City/municipal administration (Department for Urban Planning) Local planning agency / institute public and private

Source: Authors' elaboration

Moving from the meso level to the local level, all of the countries feature specific authorities that are in charge of spatial planning. SRB further articulates different competences for municipalities and cities. In ALB, XKX and BiH competences are shared between the municipal council, the mayor, and the department for urban/spatial planning. In MKD, MNE and SRB, the municipal/city administration consists of the local council, the assembly, the mayor, the departments for urban planning, and other public administration bodies that provide norms and standards for development. Additionally, these countries feature local planning agencies and enterprises which can be public or private. It is important to note that in ALB, XKX and BiH, spatial planning is under the jurisdiction of local administration, while in MKD, MNE and SRB there are, in addition to state administration, public and private enterprises in charge of spatial planning (mainly dealing with the drafting of plans). Nevertheless, local public enterprises are not fully autonomous bodies – they closely cooperate with local administration and are often partly financed from the latter's budget. However, the existence of these enterprises can still be observed as a sign of the decentralisation of planning activities from those that existed hitherto.

3.2. Spatial Planning Instruments and Allocation of Development Rights

The administrative heterogeneity that characterises the WBR implies that a number of instruments have been developed and implemented within each local context. This section presents and explains the system of plans at the national, regional, and local levels in the countries of the WBR. Moreover, it addresses the common traits as well as differences in the allocation of development rights, which is usually seen as the main goal of a spatial planning system (Janin Rivolin, 2012).

Most of the countries included in this research (with the exception of BiH) assign spatial planning competences related to the country's development to national-level bodies, while the development of binding and more detailed spatial plans remains under the authority of local government units or, in some cases, local planning agencies. Although increasingly less detailed in nature, spatial plans at the national level in the WBR are still considered as a form of zoning plan when compared to planning instruments in Western Europe, which tend to be more focused towards strategic and visionary planning (Knapp et al., 2015). A common feature between all the countries in the WBR is that they foresee some sort of hierarchical relation within their plans. This means that local-level plans should be in line with regional-level plans, whilst the latter should be in line with national-level plans (Table 5). Although the terminology of planning varies between the countries, there are similarities in relation to the scope and role of plans, and it is possible to distinguish three groups. First, national spatial plans cover the entire territory of a country and are visionary, future-oriented and have strategic elements. Their scope, content and coverage are wider than city-level urban plans, but less detailed. Secondly, there are sectoral spatial plans that usually focus on determined sectors/areas, for example, the national sectoral plans of ALB. Thirdly, spatial plans are adopted for particular projects of national and/or public interest. In ALB these are called Detailed Plans for Areas of National Importance, while in most other Western Balkan countries these are labelled as Plans of Special Purpose (SRB, MNE), Special Zones (XKX) or Special Interest (MKD). Overall, it can be argued that in most of the WBR countries, planning activity at the national level aims to influence the future strategic distribution of activities, environmental protection, the planning and development of projects of national interest, and indicate the regional and national priorities for economic and social development. National-level plans are more strategic and less oriented towards defining norms and standards or land use. Nevertheless, they still have a strong spatial and regulatory character (for example, the Zoning Map of XKX introduced in 2013). Their main role is the coordination of local spatial plans, the organisation of networks of settlements and infrastructures, and often the horizontal and vertical coordination of decision-making processes.

Different from the national level, not all of the countries of the WBR feature planning instruments at a regional level. In ALB the only plans produced at the Qarku level are of a sectoral nature; they aim to enhance vertical coordination within the various sectors. In addition, SRB produces Regional Spatial Plans for the NUTS-2 regions at the national level. These spatial plans have a more strategic and less regulatory character and seek to coordinate balanced territorial development. The main exception to this trend is BiH, which features numerous planning documents at the meso-level of the entities FBiH and RS, as well as the FBiH cantons. It is interesting to note that in both entities, planning documents have similar characteristics; the spatial plan focuses on defining a shared, long-term vision and strategy for the entire territories of FBiH and RS respectively, while the Spatial Plan of Areas with Special Features/Purpose establishes measures for planning implementation. Thus, they are considered more regulatory and less strategic. In contrast, the Brčko District has produced a Spatial Development Strategy that defines the long-term goals of spatial planning (for 20 years), by establishing principles and goals for spatial planning area development, selecting priorities and instituting protection measures. When it comes to the FBiH cantonal planning documents, these are of two kinds: the Spatial Plans of Cantons are of a more strategic character, while the Cantonal Spatial Plans for Areas with Special Features are of a more regulatory nature. Countries such are XKX, MKD and MNE do not have planning instruments at the meso-level.

Finally, in order to direct spatial development, planning instruments at the local level play a crucial role in balancing national and regional priorities with local interests. In this regard, each country has structured its planning system in line with spatial, economic, social, political and environmental needs and perspectives. While national and meso-level plans are usually described as spatial and more strategic in nature, local plans in most WBR countries are characterised as urban/regulatory plans which provide substantive guidance, and define norms and standards for spatial development. Local-level plans vary in relation to terminology, scope, and the possibilities afforded to ensure development rights. Countries of the WBR usually recognise two types of planning instruments at the local level. These are legally defined as spatial (BiH, MNE and SRB) and general urban plans (all WBR countries) and are developed for cities and/or municipalities. As mentioned at the start of this section, local plans are to be aligned with regional- and national-level plans. This kind of hierarchy of planning instruments is present at the local level as well, where detailed plans are to be in line with the general and spatial plans for cities/municipalities.

Table 5: Planning Instruments for Each Administrative Level

	ALB	BiH	XKX	MKD	MNE	SRB
National Level	General National Plan (GNP)	-	Spatial Plan of Kosovo	Spatial Plan of the Republic of Macedonia	Spatial Plan of the Republic of MNE	Spatial Plan of the Republic of SRB
	National Sectoral Plans (NSPs)	-	Spatial Plans for Special Zones	Spatial plan of special interest for the country	Spatial Plan of Special Purpose	
	Detailed Plans for Areas of National Importance	-	Zoning Map of XKX		Detailed Spatial Plan State Location Study	Spatial Plan of the Area of Special Purpose (SPSP)
Meso Level 1	Sectoral Plans at Qarku Level (SPQL)	**FBiH** - Spatial Plan of the Federation of BiH, Spatial Plan of Areas with Special Features **RS** - Spatial Plan of Republika Srpska, Spatial Plan for an Area with Special Purpose **Brčko** - Spatial Development Strategy	-	-	-	Regional Spatial Plan
Meso Level 2	-	**BiH** - Spatial Plan of Cantons	-	-	-	Spatial Plan for the Territory of the Province of Vojvodina
Local	General Local Plan (GLP) Sectoral Local Plans (SLPs) Detailed Local Plans (DLPs)	**FBiH** - Municipal Spatial Plan, Urban Development plan, and detailed planning documents **RS** - Municipal Spatial Plan or Spatial Plan of a Self-government Unit, Urban Development Plan, Zoning Plan, and Detailed Plans **BD** - Spatial Plan of the District, Urban Development Plan and Detailed Implementation Documents	Municipal Development Plan Municipal Zoning Map Detailed Regulatory Plan	General Urban Plan (GUP) Regulation Plan for GUP Detailed Regulation Plan (DUP) Urban Plan for Villages Urban Plan Outside of Populated Spaces Urban-technical documentation	Spatial-Urban Development Plan (SUDP) Detailed Regulation Plan (DUP) Urban Development Project Local Location Study	Spatial Plan of the Unit of Local Administration General Urban Plan (GUP) General Regulation Plan (PGR) Detailed Regulation Plan (DUP) Urban Project (UP)

Source: Authors' elaboration

Spatial plans in BiH, MNE and SRB are developed with the purpose of defining the main urban and rural land-use zones, natural areas under protection, infrastructural corridors, as well as the other priorities that exist for the local development of the given area. It is common for these plans to be adopted at the level of local municipality and contain strategic as well as some regulative guidelines for future development. In BiH there are Municipal Spatial Plans which are strategic long-term plans. The main purpose of these is to harmonise strategy at the entities level (and cantonal, in the case of FBiH) to local strategic priorities. In MNE there is a spatial-urban development plan which defines strategic objectives of spatial and urban development for the local government unit (municipality), in line with planned economic, social, ecological and cultural-historical developments.

Besides spatial plans in these three countries, all WBR countries feature some form of general/regulatory urban plans at the local level. It can be argued that these local planning instruments are more regulatory than strategic in nature, and they are most often associated with land-use planning tools. General urban planning dates back to the socialist era. It has been under the authority of local communities for over 50 years, satisfying, in the former Yugoslavia, very important decentralisation criteria within the sector of urban planning and construction. These plans are usually separated into three groups based on their level of detail. First, there are general (ALB, SRB, MKD) or development plans (BiH, XKX, MNE), which propose long-term strategic priorities for city/municipality development, land use, the intensity of development, the borders of urban areas, and so forth. Secondly, there are city/municipality general and development plans which are more detailed than the first group. Although differently labelled, these plans are present in most of the WBR countries. In ALB there are also Sectoral Local Plans which aim to enhance the implementation of national and local sectoral strategies and programmes. In XKX, the Municipal Zoning Map is a regulatory document that determines the land-use and action measures for public and private investment for all the territories of the municipality. The lowest level of general planning instruments in WBR countries are called detailed plans. These plans define land-use and specific norms and standards for construction. Besides these, some planning systems include additional local planning instruments which work in concert with the formal planning system and have similar, or even more detailed content, than the detailed plans. In the case of MNE these are Local Location Studies; in MKD it is urban-technical documentation, while in SRB these are characterised as Urban Projects. These planning instruments can assist in the obtaining of construction permits, and in some cases can even effect changes in higher-level plans.

Concerning the question of allocating development rights, in all of the countries included in this research, the development rights are established by plans, at both the national and local levels (see Table 6). The process of allocating development rights is set up in two main steps: (i) obtaining the urban/technical conditions which establish the land use, norms and standards of development; and (ii) obtaining the construction permit, which allows the initiation of the development process. In order to complete the process of development and allow its actual use, the developer needs to obtain an additional use permit in all of the countries mentioned in this research. There is a general trend towards accelerating the planning process in order to enhance the issuing of development rights in WBR countries. For example, in SRB the construction permit can be obtained on the basis of four different plans, while in most other countries it can be obtained on the basis of three different plans. In all of the WBR countries, national-level plans can allow development rights to be issued. For example, plans of special purpose (available in all WBR countries) can work as parallel planning instruments that can enable construction permits to be issued in addition to the local level plan. In most WBR countries, these developments are proclaimed to be 'in the public and national interest' by public authorities. The legal framework of MNE recognises this kind of practice through the Spatial Plan of Special Purpose where the national and public interest is mostly concerned with coastal/tourist development. Nevertheless, planning practice which enables national-level documents to issue construction permits is not unusual when developing projects of national interest (for example, infrastructural corridors), even in Western European counties. Besides the possibility to allocate development rights through national level planning instruments, in all of the WBR countries the detailed plans are those which provide sufficient guidance to allow construction permits to be issued. Additional planning documents which are not part of the formal system of plans can also enable this in the case of MKD, SRB, and MNE. For example, the planning system of MKD recognises this kind of practice through so-called urban-technical documentation, where development rights are issued for zones of special interest.

Table 6: Planning Instruments Responsible of Allocation Development Rights and Procedures

	Planning instruments that may allocate development rights			Development rights procedure (main steps)
	National	Meso	Local	
ALB	Detailed plans for areas of national importance	-	General Local Plan and Detailed Local Plan	Development permit, construction permit and Use permit
BiH	-	**FBiH** - Spatial Plan of Areas with Special Features **RS** - Spatial Plan for an Area with Special Purpose	**FBiH** – Detailed Spatial Plan **RS** – Zoning Plan and Detailed Plans **BD** – Detailed Implementation Documents	Development Permit, Construction Permit and Use Permit
XKX	Zoning Map of XKX	-	Municipal Zoning Plan and Detailed Regulatory Plan	Terms of Construction and Construction Permit and Use Permit
MKD	-	-	Detailed Urban Plan (DUP), Urban Plan for Villages, Urban Plan Outside of Populated Spaces, Urban-Technical Documentation	Urban/technical conditions and Construction Permit and Use Permit
MNE	Spatial Plan of Special Purpose (SPSP)	-	Detailed Urban Plan (DUP), Urban Development Project, Local Location Study	Urban/technical conditions and Construction Permit and Use Permit
SRB	Spatial Plan of the Area of Special Purpose (SPSP)	-	Spatial Plan of the Unit of Local Administration, General Regulation Plan (PGR) and Detailed Regulation Plan (DUP) Urban Project (UP)	Urban/technical conditions and Construction Permit and Use permit

Source: Authors' elaboration

4. Main Findings and Issues

Building on the proposed analysis, it can be argued that spatial planning in the WBR countries is a highly heterogeneous activity, characterised by a variety of administrative levels and bodies which hold responsibilities in relation to spatial planning practice, as well as by a number of planning instruments. This heterogeneity is the result of both path-dependent logic as well as incremental adjustments to market economic mechanisms.

Territorial administrative systems vary between the WBR countries; where XKX, MKD and MNE have two levels of administration – the central (national) level, and the local level (municipalities and cities) – ALB, BiH and SRB have additional regional levels of planning. This particular administrative subdivision in the WBR countries can be related to the path-dependent nature of each system. When looking at the institutional setting in all the WBR countries, it is possible to notice that there has been a tendency towards the decentralisation of spatial planning through the abolition of the role of public planning enterprises in cities and the assignment of spatial planning activities solely to the jurisdiction of the given local administrative unit. These public planning enterprises date back to the socialist era and served to satisfy the criterion of decentralised planning activities when each municipality in Yugoslavia had its own institute (larger cities) or directorate (municipalities). Today, ALB, XKX and BiH do not fully recognise such planning institutions. In the other WBR countries there is also a strong tendency to abolish them.

When it comes to the system of plans, WBR countries apply a variety of planning instruments at each level. It is common for all countries to organise these instruments hierarchically, with national, regional, and some local plans having more of a strategic rather than strong regulatory dimension. Nevertheless, spatial planning in WBR countries is still very much identified with zoning, due to the importance of hard visualisations and maps. Hence, although national planning instruments do not have a strong regulatory nature, an exception to this are those plans for areas of special purpose which are prepared for areas of national interest and contain land use, norms and standards for development. Different from the national level, only ALB, BiH and SRB contain planning instruments at the regional level. These spatial plans still have more of a strategic rather than regulatory character and serve to coordinate balanced territorial development. While regional spatial plans in ALB aim to enhance vertical coordination within the various planning sectors, SRB produces Regional Spatial Plans for the NUTS-2 regions at the national level with the exception of the province of Vojvodina, which has its

own regional spatial plan. The highest level of planning in BiH is the meso-level of the entities FBiH and RS, as well as of the FBiH cantons; the plans for both entities have similar characteristics.

Through comparing each planning system in terms of how it allocates development rights, it can be noted that in each country the development rights are issued in accordance with the plans developed both at the central (or entity) level and the local level. Here there are two observations to underline: all of the systems are similarly framed in terms of the allocation of development rights, and it is not only local plans that may allocate the right to develop. Across all cases, local urban plans are considered as the ones that provide sufficient data on the possibilities and constraints for development, and as such they can enable the allocation of construction permits. Nevertheless, all of the countries in this research show that plans at the central and entities level (for FBiH) are also able to allocate development rights within specific sites and given certain conditions. Secondly, in some cases, even planning documentation which is not part of the formal planning system can enable the allocation of construction permits. This kind of practice points out the dual nature of national-level planning instruments which contain regulatory as well as strategic elements. Moreover, it points out a potential (re) centralisation of planning systems, whereby national planning instruments can bypass local, regulatory ones. On the other hand, the fact that at least three different planning documents in each WBR country can allocate development rights, points to the fact that there is a tendency for acceleration within the planning process in line with the requirements of market economies.

5. Conclusion

Due to their complex past, fragmentation and geopolitical instability, until recently the WBR countries have been excluded from a majority of studies on spatial planning (see, for instance, Cotella and Berisha, 2016a). This paper addresses this analytical gap. Its main aim was to sketch out and compare the evolution of spatial planning systems in the WBR countries through an analysis of their geographical and socio-economic tendencies and administrative and legal frameworks, as well as their spatial planning instruments. In so doing, particular attention has been given to understand the relationships that exist between upper and lower planning documents in allocating development rights and issuing building permits.

Based on the evidence presented in this article, it can be argued that the spatial planning systems of the WBR countries are complex, path-dependent systems that are still influenced by their socialist/communist legacies as well as by subsequent transitional stages. Moreover, they are also facing a variety of challenges in adjusting to the requirements of market-economy, EU perspective, as well as other international influences. In this light, the main contribution of the developed comparative analysis is to highlight similarities and differences in terms of their development paths and present configurations, and in so doing provide comment as to how to tackle present and future challenges.

The findings of this study point out the possibility that the decentralisation of spatial planning activity has taken place in each country through a variety of mechanisms, including the abolition or downsizing of independent public planning enterprises, and the acceleration of procedures for obtaining construction permits for projects of national interest through 'parallel' legal framework and planning instruments which work in concert with the formal system. As emerged from Cavrić and Nedović-Budić (2007), the degree of centralisation of power is the key indicator of the interaction between the local and national levels of government, and represents a significant factor in formation of planning systems and practice. Although the existence of a centralised system is often attached to previous socialist/communist regimes, it appears that it gained a new and contemporary role when coupled with market forces and the external influences that are faced by each WBR country included in this study.

Although the evolution of each spatial planning system appears rigid, incorporating some socialist/communist elements (especially during the first decade of transition), most of them have undergone frequent amendments of planning legislation since the 1980s. Most of the amendments to the laws were concerned with increasing the level of system flexibility in order to respond to the challenges posed by market economies, the EU, and other international influences. However, it is still unclear how these amendments affected the traditional role of planning in order to protect the public interest as public goods, public services and public land use, which were some of the basic principles enshrined within socialist planning agenda.

It is concluded, therefore, that more research is needed. The presented material makes, therefore, only a small contribution toward a greater understanding of the spatial planning systems in the WBR. Future research might be oriented in two directions: (i) the development of a set of indicators which aim to provide an in-depth understanding of how various internal and external factors influence the nature of the spatial planning systems of the WBR countries; and (ii) a triangulation of the preliminary findings obtained from desk-based research. This is a process that should examine the described transformations in local planning practices by involving planning professionals and other planning-related actors.

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