

TECHNICAL AND LOGICAL METHODS FOR IMPROVING THE PROCESS OF URBAN PLANNING IN SERBIA

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The subject of the paper is an analysis of the methodology for developing urban plans, considered in a normative, organizational and interest context. Based on current legislation defining the content and procedure for adopting a plan, and the institutional framework that defines the participants in the planning process, a basic methodological model for a planning solution was formed, which was then improved in the context of the collaborative planning paradigm. Starting from the assumption that harmonizing the different interests represents the “grey zone” of planning in Serbia, the paper explores various methodological steps that would give a space for better cooperation between all stakeholders, and therefore contribute to the improvement of procedures for developing plans and the quality of the planning solutions themselves. On the basis of this research, a methodology for urban planning is defined as a logical and technical method of successively configuring a planning solution in a normative, organizational and interest context. Through analysis of the application of the methodological model in practice and a case study, it was confirmed that the method of producing a plan that includes timely and meaningful cooperation can reconcile the interests of the different stakeholders in planning.

Key words: urban plan, methodology, model, procedure, participation, interest.

INTRODUCTION

Urban planning includes two basic types of activities: the process of developing the plan, which is directly dependent on the set methodological framework, and the procedure for the inspection and adoption of the plan, determined by the regulatory framework. Both activities are also under the constant influence of various policies and interests. The research presented in this paper aims to examine the methodology for drafting a plan and offer suggestions for its improvement, in such a way that the subsequent procedure for adopting the plan changes the suggested plan as little as possible, i.e. that all of the potential problems, incompatibilities and conflicts are solved during the plan's development. The basic hypothetical position in the paper is that the methodology for developing an urban plan depends upon the dominant issues and themes of the plan, so that by means of adequate methodology it is possible to improve the quality and sustainability of the planning solution.

In which way is it possible to approach a consideration of the relationship between the methodology and procedures in urban planning? If we accept the assumption that the flow of the procedure for adopting a plan is actually the criticism and verification of its contents and methodology, which can be positive or negative and affect the planning solution itself, then by analyzing the flow of the procedure we can indirectly conclude whether methodological omissions have been made while developing the plan and which ones they are. However, if this relation goes in both directions, it can be said that adequate methodology guarantees a better flow of the procedure, thus producing a higher quality planning solution, and also that the assumption stands that different methodologies for developing a plan can be “tested” by means of the procedure for adopting it.

It is therefore necessary to consider and examine the methodology for developing a plan by means of an appropriate theoretical model. In addition, the methodology should be considered in the context of the collaborative paradigm, i.e., the interests of all relevant participants in planning, which should be harmonized, i.e., in the context of connecting the concept of interest with the concept of methodology.

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The general place of urban planning in Serbia has been, for decades, that it can not adequately meet the needs imposed on it by the modern socio-political, cultural and economic context (Vujošević and Petovar, 2006, 2010), that its conformation is outdated (Lazarević Bajec, 2009), that it limits public participation (Čolić et al., 2013), that it is difficult to carry out its solutions, its procedures are to heavy handed and that, in addition to all of this, it is often lagging behind reality. The causes of this situation in urban planning can certainly be traced to the marginalization of its role, which came about in the first period of transition (Vujošević, 2003), and the move away from rational normative planning, conditionally speaking, to general, strategic and regulatory planning in the 2000s. However, still today, two decades after adopting the first law on planning in the period when the paradigm of sustainable development is becoming dominant globally, and public interest, the collaboration of stakeholders and participation of citizens are basic preconditions of planning, the process of urban planning is fundamentally criticised by the domestic scientific community, practically challenged by experts, instrumentalized by politicians and “big capital”, and essentially unfamiliar to city residents (Petovar and Vujošević, 2008; Petovar and Jokić, 2011).

In accordance with the Law on Planning and Construction (2014), urban planning includes the development of general plans as strategic developmental plans with general elements of the spatial development of cities, followed by general regulatory plans that have a certain specification, and plans for more detailed regulation which involve division of the space into areas and zones, more detailed land use, regulation, leveling, the division of land, protective measures and rules for development and construction.

METHODOLOGY IN THE NORMATIVE AND ORGANIZATIONAL CONTEXT

An urban plan with its content defined in terms of applicable law can be a quality instrument of urban policy if it is developed in an appropriate way.

The Law on Planning and Construction defines the content of the plan and the procedure for its adoption, but not the methodology for developing the plan, which should, with the necessary adjustments, be determined by a model that is applicable to the theme and coverage of each plan. This model should cover all activities involved in developing the planning solution, from making the decision to develop the plan to the beginning of the procedure for expert inspection, which at certain points in the process overlap, influence and derive from each other, making the process itself nonlinear and a very complex system.

However, from the moment of introducing regulatory, i.e. detailed, urban planning into national legislation, this methodology is not theoretical enough, nor has its practice been investigated, and so the plan is developed empirically, more or less successfully, depending on the planning standards adopted or the experience of the planners themselves, and sometimes even a combination of events. This presents not only a qualitative problem that affects the planning solution and the length of the planning process itself, but it also raises the question of the justification of the whole process in the context of the official planning paradigm (Zeković et al., 2015, Vujošević et al., 2012).

In this sense, the key factors that influence the methodology of urban planning are as follows:

- The provisions of the Law on Planning and Construction concerning the content of the procedure;
- The institutional framework for planning, i.e., the provisions of the law and applicable secondary legal acts that apply to the participants and their role in the process of developing the plan;
- The working team that forms the planning solution in accordance with the theme of the plan;
- The wider regulatory framework of planning, the different instruments of urban policy, etc. that are relevant for decision-making during the formation of the planning solution;

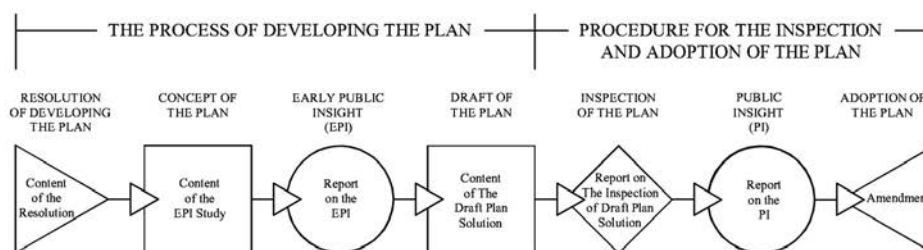


Figure 1. The process of developing an urban plan (Source: authors)

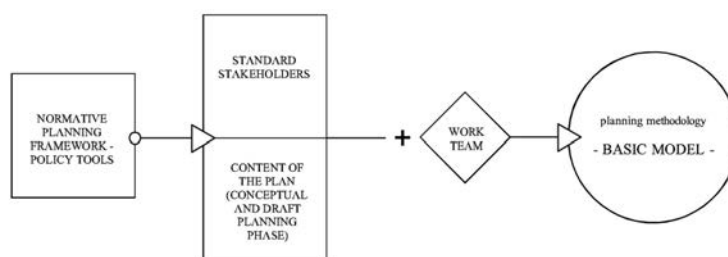


Figure 2. Factors that influence the formation of the basic methodological model (Source: authors)

In theoretical terms, there are several factors that have a dominant influence on the methodology of planning:

- institutional theory (Scott, 2004), which may explain the significance and impact of the “institutionalization” of different processes on developing urban plans and managing urban development through a regime of regulation (Stone, 2008);
- planning theories such as collaborative planning (Healey, 1997) or integrated urbanism (Ellin, 2006) or;
- and the official paradigm of sustainable development, in accordance with which all laws and subordinate legislation relevant to the process of planning should be passed (Taylor, 2004; UN HABITAT, 2007).

However, for the purposes of further research, it is necessary for the abstract concept of a methodology for developing a plan to be formalized into a basic methodological model which is “constant” in terms of its own organization, since it is based on the logical and technical connection of specific, known facts and factors in an organized whole.

This model is made up of a series of basic steps and discussions on the analysis, synthesis, finalization and evaluation of a planning solution, which should be carried out and organized by a working team during the development of an urban plan. It represents the initial subject of the research, because the steps are defined in such a way to ensure the legally defined minimum of cooperation between the different participants and the information necessary to create a solution. In this context, any other arrangement could be considered arbitrary, but not necessarily scientifically unfounded, which is the possibility on which this study is based.

METHODOLOGY IN THE CONTEXT OF INTERESTS

Interests from the aspect of this research that are considered relevant for the development of planning solutions in a methodological sense are the interests of citizens, that are the residents and users of the area in question, public interest, and the interests of the investors for whom the

plan is being developed. It is precisely the interests of the different participants in planning, i.e. the role that urban planning has in their security, that represents a “grey zone” in the process of developing an urban plan, given that the concept of “interest” in urban planning practice has not been adequately defined, and cooperation with the interested parties is largely insufficient, formalist or outside of procedure.

The communicative and collaborative planning paradigm began to affect the dominant rationalist approach to planning in Europe in the 1980s (Forester, 1999), while in Serbia it is linked to first law that defined the concept of regulatory planning in 1995 (Law on planning and Regulation of Space and Settlement, 1995). However, some basis of participation were defined in Serbian planning legislation from 1949 (in Resolution on General Urban Plan) and first participatory procedures were established in the planning practice from 1970s. But, over the last twenty years, the transitional changes which occurred can be described as very frequent and, in fact, from the mid-nineties until today, nine different amendments to the law have been adopted. Among other things, some of them affected collaboration and participation processes.

Planning for people and their real needs should actually be planning with people, i.e. carried out in the most open way possible, with simplified and modified public procedures, resulting in a planning solution that satisfies the majority, thus guaranteeing not only the formal adoption of the document, but also its implementation (Allmendinger, 2001; Bherer, 2010; Maksić, 2012). The experience of Anglo-Saxon practice shows that the involvement of all interested parties in the discussion on the objectives of the plan has a very important function, from the mutual exchange of information and ideas, through joint review of the suggested and possible answers to the questions asked and definition of the problem, to a general satisfaction with the quality of the planning solutions and commitment to their realization (Danilović Hristić and Stefanović, 2013, 2016). The participatory approach involves the inclusion of

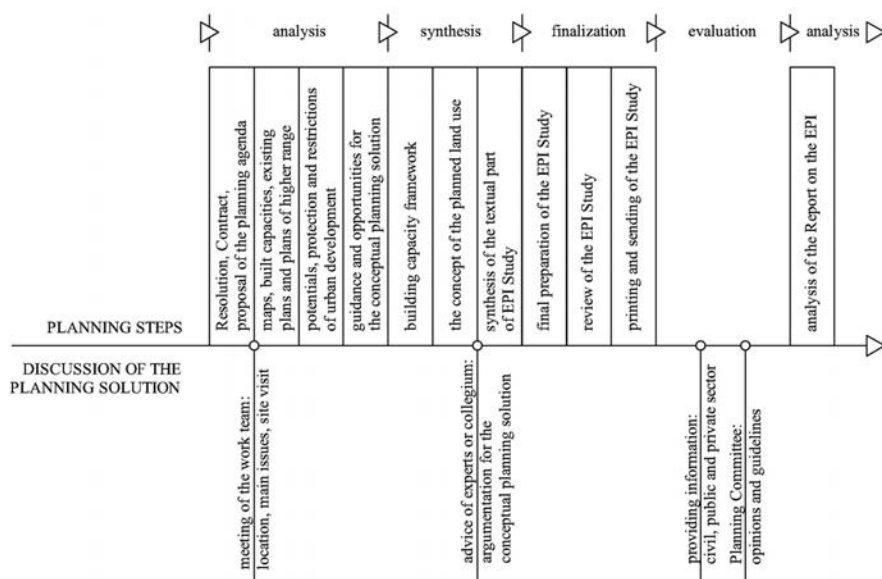


Figure 3. Basic methodological model for developing the concept for a planning solution and early public insight (Source: authors)

various actors, so that their views and concerns are analyzed and considered in all phases of the planning process – from the initial vision for developing the plan to the monitoring and evaluation of the plan's implementation (Stefanović *et al.*, 2015). In addition to the participation of citizens it is important for all other interested parties to be involved, which makes it possible for the theme and area covered by the plan to be considered from different viewpoints and to define all of the possible interests, from general to individual, and also to define conflicts, as well as to respond to all of its set challenges. In this way, the planning process is open, transparent, inviting and inclusive, in other words democratic. This approach may require greater involvement during the development of the plan, more organized meetings, discussions – debates, perhaps the occasional “workshop” for those interested, presentation skills, and the knowledge of mediation as a process, but this is why the end result is also of a much higher quality in the procedure for adopting an “easier” plan (Danilović Hristić and Stefanović, 2016). The application of the participatory and collaborative model in several pilot projects in Serbia has achieved satisfactory results (Čolić, 2014), but since it is not legally required and requires additional work and resources, it is questionable whether it will be adopted as a normal part of the procedure in practice.

One of the main goals of every urban plan is the division of the area in question into public and other purposes, as well as defining protective measures and rules for development and construction. Based on the Law on Expropriation (2013), areas for public purposes are those that are determined by public interest (streets, schools, health centers), and since they are of public interest it is understood that various measures of protection apply (nature, the environment, cultural assets). However, there is the question of whether there is also public interest outside of these legally defined categories. Analogously, areas for other purposes are of interest to the residents and users of the area covered by the plan, and urban parameters and rules for construction for these areas are also defined within the urban plan (Živanović-Miljković and Popović, 2014). But does the interest of citizens exist outside of their own cadastral parcels? An investor in the plan could be a local government body or a private individual whose interests would relate to the public or other purposes of the land accordingly, however, does the local government have interests that are not in the “public” domain? Or does a private investor claim that his interests are “public”?

The participation of citizens and other interested parties (public utility companies, institutions and government bodies, local governments, investors, NGOs...) in the process of developing an urban plan has been made possible in every change of the law by means of the public insight procedure, which can be accessed after expert inspection, i.e. in the final phase of the plan, and by securing public interest by means of sectoral cooperation with the relevant institutions (conditions and reviews) in the earlier phases of the plan. The last amendment to the law in 2014 introduced a new model of citizen participation – early public insight, which should be a procedural form of giving timely information and improved public participation in the process of

developing urban plans, given that it is organized in the initial phase of the plan's development. Hence, early review should offer residents and other interested parties better insight into the possibilities and limitations of the planned development and open space for dialogue, as well as offer planners better insight into the attitudes, wishes and interests of those involved in the planning.

However, the means of cooperation, or collaboration, between the interested parties is not defined by the law in Serbia, even though some authors from European practice indicate that it is exactly this fact which is key in the realization of planning solutions. This essentially corresponds with the previously set objectives and interests of individuals expressed through their participation, since it allows the whole process to be transparent. It also highlights that during collaboration, cooperation between investors and citizens is the weakest link in the whole process, because it is most commonly not institutionalized (Gardesse, 2015).

For these reasons, a set of criteria can be assumed based on which the process of developing an urban plan can be considered collaborative in the context of all of the relative interests, and which corresponds with the criteria for the successful management of urban development as the most important aspect of inclusive and sustainable urban planning, which UN HABITAT (2007) sets in its official documents. These criteria relate to: the clear identification of all stakeholders and their needs and interests; keeping the participants in planning well-informed; the possibility of making joint decisions; improving cross-sectoral cooperation; easy access to all relevant information; and the quality participation of citizens through organized consultations, forums and working groups.

FORMING AN IMPROVED METHODOLOGICAL MODEL

Accordingly, it can be concluded that the methodology of urban planning is a logical and technical method of the successive construction of a planning solution in the regulatory, organizational and interest context. Consideration of this context for the methodology for developing urban plans opens the topic of possible further development and improvement of the above basic methodological model. Further, the introduction of new steps in order to better consider the dominant interests to which the planned solution should provide an adequate response also opens up the possibility of diversification, by means of defining the different methodological models that will suit the basic problems dealt with in the plan. In order to confirm these assumptions, in accordance with the defined set of criteria, new steps were introduced to the basic methodological model for the development and discussion of the planning solution, which should make it possible to solve many potential problems that manifest themselves in urban practice during inspection and adoption of the plan. We can call this type of model an advanced methodological model.

This model introduces new steps primarily in the phase of analyzing the “input” data, on the basis of which the working team makes a synthesis of the planning solution, as well

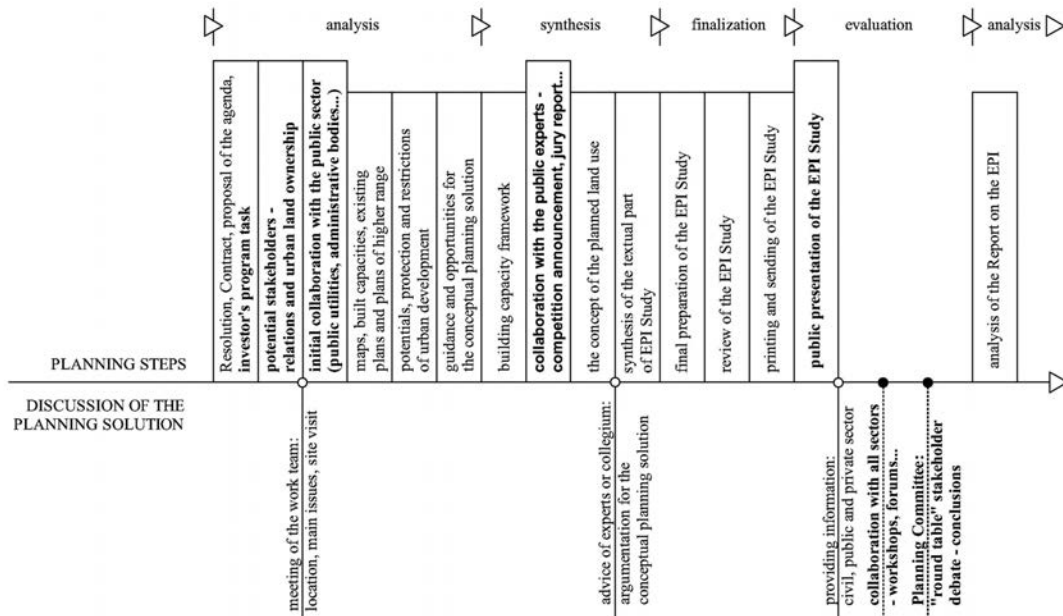


Figure 4. Improved methodological model for developing the concept of a planning solution and early public insight (Source: authors)

as the evaluation of that solution through the process of collaboration. The steps are established to respond to the pre-set criteria – relating to the identification of stakeholders and keeping them informed, joint decision making, inter-sectoral cooperation, etc. – but they are arranged to ensure the timely inclusion of all stakeholders in planning, or their interests, in the process of developing a plan, which is actually managed by a working team.

ANALYSIS OF THE MODEL IN URBAN PLANNING PRACTICE – A CASE STUDY

In the practice of urban planning the working team must cooperate with individual citizens, institutions and investors more and in a better way than the current legally defined minimum, and this cooperation must be organized and institutionalized. Since the law does not define the method of collaboration, it is necessary through an analysis of the flow of the procedure for adopting a plan to investigate whether and how many different interests have been represented and harmonized through the drafting of the planning solution. This procedure of indirect reasoning on how the draft plan is made is the only possible one, given that the procedure includes official documents that can be studied from different aspects (the number of an issues in the complaints submitted, reasons for increasing expert inspection, the volume of changes in the planning solution etc.), while in most cases in the actual process of making a plan there is no valid documentation (adopted work protocol, minutes of the working team meetings, written reports, etc.).

For the purposes of this study, as an example for future more extensive analysis, a case study was carried out on 8 plans for the detailed regulation of different focus areas (developed for the construction area of Belgrade), in order to test and valorize the improved methodological model. The case studies made it possible on one hand to study the basic problems dealt with by the plan, and on the other

to study the documentation base for the plans (official cooperation with relevant institutions, reports on completed expert inspection and reports on public insight) in order to determine which steps in the improved methodological model were present in the development of the planning solution (*), which were not, but need to be (x), and which steps were not necessary for solving the specific problems in the plan (-).

The detailed regulation plans were chosen in order to provide sufficient variability of the parameters being investigated, they have a unified legal and procedural framework, they have valid documentation and they are carried out under relatively constant conditions in terms of the adopted standards, norms and ways of cooperation during the development of the plan:

1. Plan for a bus and train station with a commercial center in Block 42 in New Belgrade;
2. Plan for a residential complex on the site of former factory "IKL" in Dalmatinska Street;
3. Plan for a section of the external main tangent – EMT;
4. Plan for a new building within housing block 9a in New Belgrade;
5. Plan for the reconstruction and construction of the Sugar Factory Complex in the Cultural and Historical Entity Topčider;
6. Plan for the residential area Altina 2 in Zemun;
7. Plan for a section of the heating system network;
8. Plan for developing Slavija Square.

The only steps included are those for which there was valid documentation, such as conceptual solutions, studies, memos or reports. The steps not included are those which were not carried out or they were carried out at an inadequate moment, such as the announcement of an urban competition that preceded the drafting of the plan, and thus contributed problems to the procedure for the plan's adoption, instead of being an integral part of the synthesis

PLANNING STEPS	1	2	3	4	5	6	7	8
Analysis of the investor's program task	*	x	*	x	x	-	*	*
Stakeholder analysis – relations and urban land ownership	x	x	x	x	x	x	-	x
Initial collaboration with the public sector	*	x	-	x	*	*	-	x
Collaboration with the public experts – competition announcement...	x	-	-	-	-	-	-	x
Public presentation of the EPI Study	x	x	x	x	x	x	x	x
Collaboration with all sectors – workshops, forums, work groups...	-	x	-	x	-	x	-	-
Planning Committee – “round table” stakeholders debate	x	x	x	x	x	x	x	x

Figure 5. Results of the analysis of the use of the improved methodological model on examples from the practice of urban planning (Source: authors)

of the planning solution. Unnecessary steps are those for which it can be said that they would have no purposeful impact on the planning solution.

In the context of the main issues with the plan, analysis of the case studies showed that plans with the same purpose (for example a residential complex/area) encounter different problems in the procedure for public insight depending on whether the investor for the plan is from the public or private sector, or whether the plans with predominantly public interest in the construction or reconstruction of particular areas (such as the construction and transformation of complexes for public purposes) have problems in the procedures for expert inspection related to whether the area in question is the subject of an urban competition or not. Also, through an analysis of the complaints submitted at the stage of public insight, we can see the need for more intensive cooperation with the public for plans involving residential purposes, while for other purposes, public presentation of the conceptual solution and debate among the participants in the early stages of the plan offer a sufficient level of collaboration. Analysis of the conditions of the competent institutions indicates that initial cooperation with the public sector is not essential in the case of making plans for public roads and infrastructural corridors.

Accordingly, it can be concluded that the methodology for the development of an urban plan is conditioned by the dominant issues that the plan addresses, and also the interests to which the plan must respond. By means of adequate methodology for the development of a plan it is possible to affect the quality of the final planning solution in urban plans which differ in terms of their theme, scope or the issues dealt with.

However, analysis of the case studies shows that for certain aspects of planning the methodology used in the plan

has no influence. These aspects are mainly related to the administrative, political and ethical framework for planning, but also to the possibility that significant changes in the planning solution come in the final phase of adopting the plan, through the instrument of amendment at the local government assembly, in which the final outcome of the planning solution can be influenced by individuals who have no formal education in the area of urbanism, and consequently none of the responsibility that comes from it.

CONCLUSION

On the basis of the research it can be concluded that the methodology of urban planning is a logical and technical method of the successive construction of a planning solution in a normative, organizational and interest context. Also, through the evaluation of different methodological models in practice, it can be confirmed that when the method of developing a plan includes timely and meaningful cooperation, it can reconcile the interests of different stakeholders in the planning. At the same time, in practice this can be checked and the criteria analyzed, on the basis of which the primary methodology for the plan can be improved in the context of collaboration. Therefore, the preparation of a plan can be improved within its legally defined content.

Appropriate use of the methodological model improves the efficiency of the planning process, which is the practical contribution of this research, given that using the “right” methodology for an urban plan can potentially solve many of the problems that arise during its adoption actually in its early stages, such as additional objections and requests or having to repeat a procedural step, and in this way the amount of subsequent corrections in the planning solution can be reduced. This domain of research is also closely linked to the preparation of an urban plan.

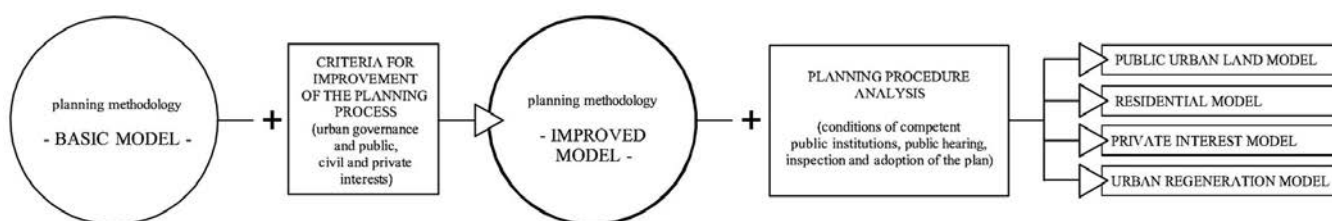


Figure 6. The process of diversifying methodological models with examples (Source: authors)

Improving the quality of managing the planning process is the general and practical contribution of this research, given that it relates to improving the instruments of urban policy that must “devise”, supplement and harmonize in order to support the methodology established for developing a plan, which otherwise, in itself would not hold great significance. However, this research domain is also limited, because it applies to a very wide field of different incoherent aspects of general urban development policy, in which only a number of aspects can be given guidelines, while many other socio-political aspects that affect the methodology for any urban plan, such as administration and the real capacity of institutions to carry out planning or influence planning policy, simply go beyond the framework of this research.

The application and improvement of this methodological model, as well as the possibility of improving the quality of the final planning solution, is the theoretical contribution of the research, because the “collaborative” methodology for developing an urban plan is linked to better harmonization of different interests than currently present, which can be seen in the problems, remarks and conclusions of the expert inspection and public insight, that is, the procedure for adopting the plan. This research domain is related to the legally defined content of the plan, which is the unchangeable base of the research, while the actors in planning, the time, place and method of communication vary in relation to the legally defined “arrangements”. On one hand, this approach can be seen as a drawback of the research, since it is based on an uncritical acceptance of the current content of the plan, however, on the other hand, only this kind of approach makes the whole research logically consequential, and not speculative.

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