

# **Spatial Planning in Greece: from the Past to the Economic Crisis & the Future**

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## **SUMMARY**

Spatial planning in Greece is as old as the modern Hellenic State. In 1829 Ioannis Kapodistrias, first Governor of modern Hellenic State, enacted the first act of spatial planning importance on agricultural land redistribution. As King Otto stepped into power, in 1833, one of his first political actions, of great significance in spatial organizational aspect, was the declaration of Athens as the Capital of the newly formed Kingdom, instead of Nafplio in Peloponnese. Otto also issued the first laws on urban planning, land management and land distribution in the 1830's. Laws that affected Greece's development and spatial planning organization for over a hundred years. In the early 1920's and after the period of Balkan Wars, the Great War and the Asia Minor Disaster, Greece had to face two great challenges, refugees rehabilitation and land distribution/ redistribution. It was then that a major reform of planning legislation took place and legislation for refugees foster and rehabilitation through land distribution (or redistribution) was enacted, shaping Greece's urban and rural areas. The end of WWII found Greece in the middle of a civil war, with country's efforts to recover beginning only in early 1950's. A recovery that included reshape of the urban areas, reform of agricultural land, promotion of tourism and support of industry. In 1967 Greece was again found in the middle of a political storm as dictatorship was established. After Restoration of Democracy, in 1975 and Greece's EEC full membership a new era in spatial planning began. Greece implemented EEC or EU regulations and directives on spatial planning. The economic crisis that Greece had to confront from 2008 affected spatial planning legislation and new planning tools were enacted. Among the high priorities, in respect to the reduction of State's debt, was the exploitation of public property and real estate and the institutional facilitation of large scale development plans. As Greece was overcoming the economic crisis, had to confront the SARS Cov2 global pandemic and new challenges for spatial planning arose. In this paper the over the time evolution of spatial planning in Greece is presented, with emphasis to the spatial planning reform undertaken during the 2008-2018 economic crisis.

# Spatial planning in Greece: from the past to the economic crisis & the future

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## 1. Introduction

In recent years communities and activities allocation is addressed in the context of urban, regional or even spatial planning and development. Various challenges that affect planning and development, play key role in the wealth of a settlement, a city or even a region and must be addressed. Spatial parameters like transportation, travelling, migration flows, natural resources use, land uses, employment, urban sprawl, climate change, or even the latest one reviled due SARS-COV2 the society's resilience to global pandemics, are important and define citizens quality of life and the balanced coexistence between urban, rural and natural areas. Knowledge on planning & urban/ regional development history provides to researchers, involved bodies and stakeholders, useful information or data on current spatial conditions, feedback on what went right or wrong during planning implementation and the necessary background for present and future actions in a continuous changing world.

In modern history the first large scale paradigm of planning implementation is Baron Haussmann's Paris regeneration (1853-1870). Haussmann was appointed as Prefect of the Sein, after a cholera outbreak and in close cooperation with Emperor Louis Napoleon, began working on Paris' transformation from the traditional medieval city, to the modern well – known city of today. His main goals were the creation of wide boulevards, control of urban sprawl by public administration and creation of a new and modern city center with center the Opera (Jordan, 1992). Haussmann funded his Paris transformation project by leveraging private capital on increased land values. Even though Haussmann planning tools are widely used nowadays, on his days were considered unacceptable. But still in 1885 and based on Haussmanns' practice, french legislation on expropriation for public interest was strengthened, foreseeing the expropriation of buildings in cases of new streets creation within existing urban fabric (Paccoud, 2016).

At the same period and at the other side of the Atlantic Ocean, north America, the expansion of railway networks lead to cities' or industries' creation alongside them, resulting to gradual transformation of rural society to industrial - urban (Peterson, 2009). The immense mixture of industrial and residential areas caused severe health problems to workforce population, as living conditions at the unregulated, newly developed and dense-populated industrial cities were unbearable, thus workers' and workers families' mortality rates were extremely high. New York's Central Park incorporation in the urban landscape, in the 1850's, signaled the victory of public park movement, in acquiring public space and creating public parks and public recreation areas so as to protect the health of workers and their families (Clark, 1973). When the Great Depression, 1929-1934, ended some local governments tried to motivate downgraded areas regeneration through planning, but those efforts were interrupted due to WWII.

The end of WWII found west European cities destroyed and their reconstruction was signaled by intense implementation of planning policies. While in USA free-for-all, market-in-location took the lead, in West European countries the central State controlled all planning aspects, with diversifications of chosen policies only between the various States (Cox, 2020). On the road to overcome the WWII destructions and in order to enhance european countries political and

economic integration the United Nations Economic Commission for Europe was established in 1947.

In 1951 six West-European countries, Belgium, Germany, France, Italy, Luxembourg and the Netherlands, established the European Coal and Steel Community (ECSC). ECSC Treaty set as goal “*to contribute, through the common market for coal and steel, to economic expansion, employment and better living standards*” (CECA, 1951). It was the first time that six different European States came together, promoted and implemented common development policies and projects for the benefit of their citizens. By 1957 CECA evolved to the European Economic Community (EEC) and the six countries agreed to work closer for common economic and social progress, to improve citizens’ living and working conditions and to reduce social and economic differences between their regions.

The 1970’s oil crisis triggered rapid socioeconomic changes and in combination to unstable economy, insufficient governmental grants for projects, jobs reduction and population shift, highlighted the need for integrated and strategic planning especially in Europe (Eadie, 1983). As primary tool for Regional Policy implementation EEC launched the European Regional Development Fund (ERDF) in 1974. ERDF aim was to correct imbalances “*resulting notably from agricultural predominance, industrial change and structural underemployment.*” (EEC, 1974). Starting from 1975, the ERDF financed projects for EEC’s member states poorest regions. ERDF creation coincided to first EEC’s enlargement by Denmark, Ireland and United Kingdom (1973). In 1981 Greece joined the Community, followed by Spain and Portugal (1986). In the enlarged Community the idea of spatial planning at Community Level was discussed by Spatial Planning Ministers in late 1980s’ and the first official document on Spatial Planning “Europe 2000” was launched in 1991, allong with by Commission’s Committee on Spatial Development creation.

By 1993 European Union replaced the EEC, (Maastricht Treaty) and a new enlargement round took place, with Austria, Finland and Sweden joining the Union. In parallel concerns for environmental protection and sustainable development arose, as those were depicted in UN’s Agenda 21. The political body of EU, the European Commission, issued the European Compendium on Spatial Planning and concludes that spatial planning is the only procedure which can guarantee real and trustful coordination between competing sectoral policies (EC, 1997). According to EU’s European Spatial Development Perspective spatial development issues of European significance are: challenges that urban systems are facing due to continuous urban sprawl and downgraded quality of urban environment, rural areas’ continuous change of role and functions, enhancement of trans–European transport Networks and increasing pressure imposed to natural resources and cultural Heritage (EC, 1999).

A new round enlargement, of EU, took place in 2000’s. Estonia, Latvia and Lithuania (3 former Soviet republics), Poland, Czech Republic, Hungary and Slovakia (4 former USSR satellites), Slovenia (a former Yugoslav republic) and Cyprus and Malta (2 Mediterranean islands) followed by Bulgaria and Romania (2 former USSR satellites) joined EU. Those EU enlargements coincided with the 2008 global economic recession, highlighting the economic imbalances, the territorial and social vulnerabilities between all EU’s member states and the need for integrated planning polices across the EU.

The transition from traditional planning to integrated spatial planning requires the participation of all key actors during planning development and discussion and before planning implementation by the responsible bodies (Albrechts, 2004) and European spatial (and urban)

planning policies should and must incorporate culture, as culture is the key element of a positive diversification between regions or cities, and one very well-known trade mark, especially in the case of regions/ cities with long – term history (Kunzmann, 2004), spatial planning is the fundamental and key instrument for a medium and long term planning framework, based on a rational territorial organization and land uses allocation and urban planning is the fundamental tool ensuring socioeconomic development, protection of natural and cultural heritage of a region, enhancing natural resources rational use (UNECE, 2008). Based upon those trends and after the outburst of the 2008 economic crisis, EU’s ten-year period growth strategy, Europe 2020 (EC, 2010), encompasses actions so as EU countries overcome the crisis.

As 2020 and 2021 are dominated by the SARS-COV2 global pandemic, that posed an enormous pressure to health care systems, forcing severe lockdowns and economy deceleration, putting into an exhaustive test of cities’ characteristics such as high population densities, use of public transport, public health protection, the need for integrated planning, that incorporates good and valuable practices from the past with today’s trends and citizens needs satisfaction in an unstable world, is greater than ever..

## 2. Greece: An overview

Greece is located in south-eastern of the European Continent, in the east part of the Mediterranean Basin. The rough continental terrain along with the fragmented insular territory, result to severe geographical and communication constraints, enhancing the long-term cohesion and development imbalances, between Greece’s continental and insular regions.



Figure 1 Greece and EU Member States  
(Source: European Union last accessed 14/02/2021)

Its population is less than 11.000.000 (2011 official Census), whereas life expectancy, according to 2018 estimation, is 80.8 years. Urban population is over 79% (2019 official statistical authority), and working population is over 4.000.000 (2018 estimation, official statistical authority), while unemployment rate is 16.7% (2018-2019). Greece’s GDP is 184.7 billion €, forming the GDP per capita in 16,736 €. Agricultural sector contributes 4.1% in GDP production, industrial sector and services sector contribute 16.9% and 79% respectively, while 12.6% of working population works in agricultural sector, 15% in industry and 72.4% in services (Hellenic Statistical Authority 2019).

## 3. Urban & Spatial Planning in Greece: an overview

The first modern Hellenic Republic was formed in 1827, and governor Ioannis Kapodistrias had to deal with destroyed cities and countryside as result of the Greek War of Independence. His reconstruction scheme was focused on fostering orphans and poor, ensuring access to education and technical education for children and youngsters and providing adequate food, thus he introduced the potato cultivation. In his effort to reform agricultural land through re distribution processes, he opposed to local dynasties and was killed in 1831.

In 1832 Otto of Greece was appointed as country’s monarch. Otto’s first political action, of great spatial organization significance, was the declaration of Athens as Capital of the State,

instead of Nafplio in Peloponnese in 1833 and the first official plan, Athens City Plan, work of architects Kleanthis & Saubert, was enacted. Otto proceeded in issuing a series of Royal Decrees (RD) concerning the spatial structure and formation of the newly established state, among others RD on compensation of Ottomans property confiscation, RD on private forests possession, RD on Cadastre, and RD on Athens city plan implementation.

Following the then current planning trends Athens City Plan (**Fejl! Henvisningskilde ikke fundet.**), foreseen the creation of administrative center (palace, various ministerial buildings and other public offices) located in the center of the plan surrounded by gardens and the creation of three squares surrounded by wide streets and “boulevards”, forming a “triangle”, located underneath the Acropolis. Plan’s implementation diverged from the original provisions and only the “triangular shape” was actually implemented (Biris, 1995), Figure 2.

In 1862 Otto’s reign ended and in 1863 Prince Wilhelm (William) of Denmark, known as King George, was proclaimed Greece’s King. King George issued two fundamental Laws: on “Cities and Village Plans” (1867) and on “road construction” (1868). By law “on Cities etc.” for the first time in Greece’s modern planning history residential complexes were characterized as cities or villages, ought to respect and adopt certain development regulations and were urged to conduct and approve official City Plans. Many Old Greece’s major cities (at Attica/Viotia, Saronic Gulf Islands and Peloponnese) had approved city plans by Royal Decrees, Figure 2.



Figure 2: (a) leanthis & Saubert 1833 Athens city Plan (dark grey) compared to actual city form in 1960 (Biris, 1995), (b) 1900 Poros official city plan (source: Min. Env. official archive)

Urban plans for existing or newly established cities and villages incorporated the then current planning trends and had provisions for: wide streets surrounding building-blocks, gardens, markets and churches. The Law on “road construction”, 1868 set the basis for legal constructions in peri-urban or out of City Plan areas, by the official characterization of roads as national, provincial, municipal or agricultural. Specific rules on road creation within cities, villages and settlements ought to be followed. The two Laws of 1860’s impacted Greece’s spatial development, especially in

In the early 1920’s and after the end of a ten year war period, Balkan Wars (1912-1914) - Great War (1914-1918) - Asia Minor campaign (1919-1922) that ended with the loss of the Asia Minor, the Smyrna Disaster and the Greek – Turco population exchange, Greek State had to confront two great challenges: the over 1,500,000 of Greek origin refugees foster and rehabilitation and the agricultural land distribution, as Greece had doubled its size by the end of Asia Minor campaign (compared to 1912). Refugees were divided into two categories: a)

bourgeois-refugees, who were settled in the then cities and villages suburbs and formed a new working class and b) farmer-refugees, who were settled in agricultural regions (both at old Greece and the new acquired territories). In parallel bourgeois living in city centers, were willing to pay for suburban house, especially in Athens.

The Legislative Decree on “Cities, Villages and Settlements Plans” that enacted in 1923, replaced the 1867 law and included: a) obligatory approval of city plans for newly created villages/ settlements and revision of existing plans by official state act (Decree) published in the Official Government Gazette b) permission for constructions in peri / urban areas (with no urban plans coverage) alongside officially characterized national, provincial, municipal or country/agricultural roads, c) introduction of building and construction regulations.

In 1924 El. Venizelos’ government issued the Agricultural Code/ AC and a great scale of land distribution/ redistribution took place. According to AC all major agricultural private properties and farms within Old Greece territory were under expropriation, so as to be redistributed either to farmer-refugees or to landless citizens/ land-workers. In the newly acquired territories of Epirus, Macedonia and Thrace, new refugees’ settlements were established and agricultural land was distributed by official Governmental Distribution Plans. The AC prohibited the resale of distributed land without Minister’s approval (abolished in 1969), in an effort to prevent the (re)creation of large farms by ex-landlords, while partition of original distributed agricultural plots was forbidden. The task of refugees’ rehabilitation and land (re)distribution was mainly undertaken by the Ministry of Agriculture Topographic Service (MATS). In the cities refugees’ rehabilitation was also undertaken by the Ministry of Social Affairs. Detailed Settlements Plans approved by both Ministries foreseen small under-distribution urban plots, so as to meet housing needs, public/ common spaces (school, church, sports playground, squares, cemetery) so as to meet refugees’ recreation needs (Figure 3). Agricultural land distribution followed the principle of “viable agricultural plots” and each refugee farmer was entitled to certain area of agricultural plots that could provide adequate income and goods for the family. Plots average area was about 4.000 sm (Figure 4). Farmworkers/ Farmer-Refugees settlements, in peri-urban or rural areas, were allocated in the center of the distributed agricultural land, for easy access to the under cultivation land.

Main provisions of 1923 LD on urban planning and the 1924 AC on land distribution, are still in force and both Acts have affected Greece’s spatial organization and current conditions in urban, outer urban and rural areas. Refugees’ rehabilitation and agricultural land distribution still affects land management, urban and spatial planning in Greece. Many densely populated urban and rural areas, all over Greece, with the prefix “NEO” are inhabited by refugees. Refugees’ full rehabilitation, final deed grand, was not completed until mid-1950 due to WW2 and the civil war (1945-1949), which affected the rehabilitation process.



(A)



(B)

Figure 3: Official Rehabilitated Refugees Settlements Plans: (A) Refugees Farmers Settlement of Pontion & Palation, Skala Oropou, Attica Region, 1927 (official archive MATS), (B) Settlement of Poros for bourgeois refugees, Attica Region final 1960, final reapproval 1976 (official archive of Ministry of Labor & Social Affairs)



Figure 4: Official Agricultural Land Distribution to Refugees Plan, Pontion & Palation, Skala Oropou, Attica Region, 1927 (official archive MATS).

In the early 1950's Greece's recovery efforts, from WW2 & civil war, were focused in: a) cities development, mainly by enhancing private buildings construction, b) tourism promotion and creation of large and emblematic touristic accommodations/ settlements under the strict State's supervision, c) strengthening of industrial production, d) revive and reorganize of agricultural production. The years 1950 – 1975 were characterized by large scale investments, mainly by the state, in public infrastructures, industry, tourism, urban planning, and agricultural sector, but political instability that led to the dictatorship (1967-1974) affected planning process and implementation.

After the end of the dictatorship, new Constitution was passed (1975) and for the first time urban development, spatial planning and environmental protection was under the direct regulatory authority and supervision of the State (Article 24). Starting from 1975 a series of Laws and Presidential Decrees were set into force, affecting all aspects of urban /spatial planning, spatial organization and environmental protection in Greece, in respect also to EEC provisions/ legislation (to which Greece became member in 1981). Law 360 (1976) was the first official legal documents on “spatial planning and environmental protection” and included definitions for spatial/ urban plans and processes for preparing and implementing spatial plans. Law 947 (1979) on “residential areas” defined land use categories and foreseen the modification

of city or villages plans so as to be in accordance to the latest legal provisions. Law 998 on “forest protection” (1979) affected urban and spatial planning processes as parks and green urban and peri-urban areas were under the protection of the forestry service. Law 1337 on “urban plans expansion/ modification” (1983) replaced the 1923 LD 1923, but kept its main provisions, especially on calculation of each owner’s land contribution so as public and common spaces in newly developed urban areas. In 1985 the revised Building Code was enacted along with two important PDs affecting Greece’s urban and spatial organization: the PD on “out of urban plans building regulations” (replaced the 1923 provisions) and the PD for under 2000 residents settlements boundaries determination. Following the revised, after 1975, legislation on spatial planning, urban development and environmental protection, the Master Plans for Attica and Thessaloniki Prefectures were enacted in mid-1980. Both plans had specific provisions for land uses’ spatial distribution and allocation, detailed provisions for transport networks infrastructures development and operation, and introduced objectives and guidelines for the balanced development and territorial cohesion for Greece’s most densely populated regions.

Law 2508/1997 on “cities and settlements sustainable development”, introduces spatial coverage of Local Urban or Master Plans in agricultural areas was, in respect to mid/long term ongoing programs for socioeconomic cohesion and development. Law 2545/1997 launched the first sectoral Master Plan of industrial & business areas, two years prior to relevant legislation on “the General Framework on Spatial Planning and Sustainable Development”. According to Law 2742/1999 on “sustainable spatial planning”, national and regional spatial plans were mandatory prior to the approval of sectoral plans for: a) Zones with Urban Planning Special Regulations, b) Industrial Zones, c) Local Organized Development Zones. But there is no integration between spatial and urban planning strategies at national level, with the exception of master plans for greater urban areas (Giannakourou, 2005). Nonetheless, EU policies on spatial planning were incorporated into Greece’s legal framework (e.g. 2742/1999).

Deviation from legislation on planning, even from the 1830’s, has affected the countries spatial organization, in local, municipal or even regional level. Urban plans in many cases are not in implementation phase, even though they are approved for many years (or even decades). At the same time arbitrary constructions and informal settlements were one of the main and timeless problem (Perperidou and Tziortzioti, 2007).

#### **4. Economic crisis era & Spatial/ Urban Planning in Greece**

The outburst of the economic crisis in 2008, resulted to Greece’s serious debt crisis and in order to confront it, Greece signed Memorandum of Understanding, MoU, with its creditors, among which was EU and EU member states. Reduction of State’s debt, was directly linked to public property exploitation and the institutional facilitation of large scale development plans. Special Master Plans for either public property exploitation or strategic private investments facilitation, deteriorate from the general legal framework on spatial and urban planning, leading to the overall revision of planning activities in Greece, favoring not only large scale investments, but also small and medium scale investment plans (Giannakourou and Kafkalas, 2014). From 2009 to 2019 over 40 Laws on planning, energy and environmental protection were, enacted affecting spatial and urban planning processes. Spatial planning, urban planning and integrated spatial / urban planning legal framework was reviewed and revised by at least 15 laws. Building Code was also revised and arbitrary constructions and informal settlements legalization was a key policy in four laws.



#### **4.1.Spatial Plans for public property exploitation – large scale private investments**

Law 3894/2010 on “Speed up and transparency of strategic investments implementation”, introduced derogations from current planning legislation for private investments master plans. The ad hoc Special Plan for Strategic Investments Spatial Development (ESXASE in Greek) is the planning tool for strategic private investments, includes all the necessary spatial, urban and environmental provisions/ regulations, in accordance to the Constitution, and is approved by PD after Decision of the General Secretariat of Strategic and Private Investments (Ministry of Development & Investments). By Law 3986/2011 on “emergency measures on the implementation of medium term Fiscal Framework 2012-2015”, the Hellenic Republic Asset Development Fund was founded “*to leverage the State private property assigned to it by Hellenic Republic, according to the country's international obligations and the Medium-Term Fiscal Strategy*”. For the exploitation of public real estate specific derogations from general planning regulations and procedures are foreseen. Each under exploitation public property has its own “investment identity” foreseen in “Special Plan for Public Real Estate Spatial Development” (ESXADA in Greek), approved PD after Joint Ministerial Decision.

The exploitation of the former Hellinikon Airport, the most emblematic and large scale exploitation plan for public real estate, is foreseen in Law 4062/ 2012. After its shutdown on 2001, former Hellinikon Airport, located in Athens’ south suburbs, was downgraded to an abandoned 600 hectares public piece of land and its exploitation includes also the marine front of Agios Kosmas area (Metropolitan Pole of Helliniko – Agios Kosmas). The detailed Integrated Development Plan of the investment is approved by PD, it derogates from the current legal framework on spatial and urban planning and it includes: urban zones, development zones, recreational and public gathering areas, urban green areas, water courses zones, specific building regulations (per zone), environmental monitoring system and Strategic Environmental Impact Study.

#### **4.2.Law 4014/2011**

Law 4014/ 2011 on “environmental approval of construction projects and other activities, arbitrary construction legalization in relation to environmental balance”, was the first policy that directly affected spatial planning, urban planning and environmental protection especially in the era of the crisis. The Council of State (Supreme Administrative Court of Greece) judged the law unconstitutional, as legalization of arbitrary construction and informal settlements processes were “*overturning and distorting the rational spatial and urban planning as foreseen in Article 24 of the Constitution, resulting to the distortion of settlements’ functionality and deterioration of inhabitants’ living conditions*” (Dec. 3341/2013). Law’s basic provisions on legalization process were passed into subsequent laws, as arbitrary construction legalization is considered one of the main tool for recording, especially in spatial level, arbitrary constructions and illegal settlements.

#### **4.3.Law 4269/2014**

Law 4269/ 2014 reformed the legal framework on spatial and urban planning. After two years of consultation the law launched a modern, stable and firm framework on spatial and urban planning, with respect to sustainable development. Planning was divided into 2 levels: Strategic Spatial Planning and Regulatory Spatial Planning (Table 1), while the Land Uses categories were reviewed and redefined under current international and European trends and definitions.

*Table 1: Planning levels as defined in Law 4269 (Source: authors’ process)*

Planning Level	Spatial Level	Toll
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Strategic Spatial Planning	National	National Spatial Plans (on main development axis, spatial structure of settlements network, productive activities etc)
	Regional	Regional Spatial Plans
Regulatory Spatial Planning	Municipality/ Municipal Unit	Local Spatial Plans
	Municipalities (>1)	Special Spatial Plans (regardless of administrative boundaries)
	National	Building factor range
	Municipalities/ Municipality or Municipal Unit	Implementation & Development Urban Plans

The main scope of this Law was to simplify and speed up planning processes, minimize the required time for National or Regional Spatial Plans approval and guarantee actual integration between spatial and urban planning, in respect to sustainable development. In the case of local Plans the considerations of the Council of the State on legalization of arbitrary constructions and informal settlements were included. Strategic Spatial Plans are State's responsibility, as defined in the Constitution, elaborated and approved by the Ministry of the Environment. Structural Spatial Planning is regional and local authorities' responsibility. Strategic and Structural Spatial Planning coordination is monitored by the Spatial Planning National Council. Law 2269 was not fully implemented and was replaced by law 4447 due to the vast political change of 2015, when for the first time in the country's recent political history a leftist party came to power and formed Government.

#### 4.4. Law 4447/2016 & 4579/2020

In 2016 hot issues were: a) speeding up of public property exploitation, even the Helleniko former Airport Urban Regeneration Project was on hold due to legal framework incompleteness and anti-investment lawsuits, b) speeding up of private large scale investments (industry, tourism, local development plans, etc.) and c) actual implementation of integrated spatial and urban planning. Law 4447/ 2016 amended planning process as it kept the 2 main planning levels, but with major modifications, compared to Law 4269, on planning sublevels and planning tools implementation (Table 2).

Coordination of planning policy remained under the supervision of the Spatial Planning National Council. National and Regional Spatial Plans were still under the State's strict responsibility, while Local Spatial Plans, Special Spatial Plans and Implementation Urban Plans were responsibility of Regional or Local (Municipal) Authorities and could even be proposed by private investors (via ESXASE), in consultation with the Ministry of the Environment

Table 2: Planning levels as defined in Law 4447/ 2016 (Source: authors' process)

Planning Level	Spatial Level	Tool of implementation
Strategic Spatial Planning	National	Special Spatial Plans (on main development axis, spatial structure of settlements network, productive activities etc)
	Regional	Regional Spatial Plans
Regulatory Spatial Planning	Municipality/ Municipal Unit - 1st Level	Local Spatial Plans
	Municipalities (more than 1)- 1st Level	Special Spatial Plans (regardless of administrative boundaries)
	National	Building factor limits (according to Local or Special Plans provisions on land uses)
	Municipalities/ Municipality or Municipal Unit -	Implementation Urban Plans

	2nd Level	
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#### 4.5. Law 4495/2017 & 4759/2020

Law 4495/2017 on “the Control and the protection of the built environment” launched a new legal framework on monitoring the building environment. Its scope was to overcome all unconstitutional issues judged by the Council of the State on: Legalization of arbitrary constructions and informal settlements, Transfer of Development Rights, Land uses. The re-launch of Transfer of Development Rights – TDR - was directly linked to the legalization of arbitrary constructions in the acquisition of public (or even common space) areas within approved but not fully implemented urban plans and achievement of the environmental balance. Those provisions were considered sufficient to overcome TDR’s being repeatedly judged unconstitutional by the Council of the State from 1993 to 2007 (Theodoropoulos and Perperidou, 2019). For the first time Spatial and Urban planning implementation monitoring was foreseen by a Digital Data Base, the “Electronic Municipality Urban Planning Identity”. Every Municipality ought mandatory record and update all the data of its spatial identity, within its boundaries, like: concurrent Spatial Planning Framework, National & Regional level, Local Spatial Plans, Special Spatial Plans, Urban Plans/ Implementation, under preparation plans, environmental protection plans, Listed Buildings/ Monuments/ Archeological Sites/ Listed Traditional Settlements/ Traditional City Regions, Data on TDR and Environmental Balance, unbuilt public/ common spaces as those were foreseen in official approved plans.

The overall planning implementation in municipal level, was modernized via the fast acquisition of adequate public and common areas as adequate financial resources were available from arbitrary constructions/ illegal settlements legalization, due to the payment of the foreseen fine for environmental balance purposes. The activation of land bank, a crucial connecting bond between municipal planning implementation - legalization of arbitrary constructions - TDR, is considered as a new milestone in Greece’s legislation. Land bank will not only ensure the environmental balance of downgraded urban areas due to arbitrary constructions/ informal settlements, but will also play a key role in cultural heritage protection as this protection is foreseen in the Constitution (Theodoropoulos and Perperidou, 2019). One other breakthrough is Buildings’ Electronic Identity, a complete and integrated electronic record of buildings’ approved plans, construction plans and legalization permissions (in cases of arbitrary constructions). After the change of Greek Government, in July 2019, law 4495 was partially modified by Law 4759 (OGG/ 2020) on the “modernization of spatial and urban planning”. The role of land bank and TDR was enhanced, Buildings Electronic Identity was set in force from January 2021, restrictions on outside urban plans building were imposed and Spatial & Urban Planning implementation is speed up.

#### 4.6. Evaluation of planning legislation implementation (2009-2020)

Even though the main priority for Greece, over the last decade was the exploitation of Public property and speed up of large strategic private investments, the actual approved projects are 10, 8 public and 2 private, Table 3.

Table 3: Implementation status of large scale investments (Public or Private) and ESXADA or ESSXASE approval (Source: authors’ process)

Investment	Planning Tool	Relevant Legislation	Status of implementation
ASTERAS Vouliagmenis (Attic.)	ESXADA, 2016	4269/2014, 4389/2016	Detailed Plan CMD 2018
Ag. Ioannis Sithonia (Halkidiki.)	ESXADA, 2015	3986/2011	Detailed Plan CMD 2017/18

Kassiopi, Corfu Island (Ionian Islands)	ESXADA, 2014	3986/2011	Detailed Plan CMD 2016
Skiathos Island XENIA Hotel (Thessaly.)	ESXADA, 2015	3986/2011	Detailed Plan CMD 2017
International Radio Center Marousi (Attica)	ESXADA, 2015	3986/2011	Detailed Plan CMD 2018
Afantou, Rhodes Island (South Aegean Reg.)	ESXADA, 2016	4269/2014	Detailed Plan Study
Castello Bibelli, Corfu Island (Ionian Islands)	ESXADA, 2016	4269/2014, 4447/2016	Detailed Plan Study
Paliouri, Kassandra (Halkidiki)	ESXADA, 2014	3986/2011	Detailed Plan Study
Killada Hills Ermioni Argolida (Peloponnese)	ESXASE, 2015	3986/2011, 4269/2014	Detailed Plan GSSPI ,2018
Itanos Gaia Site (Crete)	ESXASE, 2015	3986/2011	Detailed Plan GSSPI, 2018
Elounda Ag. Nikolaos (Crete)		3986/2011, 4447/2016	Detailed ESXASE Study
Mykonos Island (South Aegean)		3986/2011, 4447/2016	Detailed ESXASE Study
Skorpios Island, Lefkada Island (Ionian Island)		3986/2011, 4447/2016	Detailed ESXASE Study

The approval of either ESXADA or ESXASE takes too long, while the legal framework under which they are approved might be outdated or revised. In the case of ESXADA 5 out of 8 projects have approved detailed development plan, while buildings permits have not, yet, been issued thus the investments have not started yet. In the case of ESXASE only 2 out of 5 projects are approved and there is no any next level approval (detailed development plan). The Strategic Integrated Development Plan for Helliniko former airport exploitation project, was approved by PD only in 2018, while the exploitation of this public property was enacted by law in 2012 but planning processes and land uses were approved under Law 4269/2014 (and not the by revised Law 4447/2016). All necessary Common Ministerial Decisions have been approved in 2020 and actual works have not started yet.

The foreseen, by Law 4447/2016 National Special Spatial Plans and Regional Level Spatial Plans, have not been elaborated and published even for public consultation, thus former frameworks are still in force for which the need of revision is imperative. Even with the new framework on planning, L. 4759/2020, elaboration and public consultation is far from starting. Local Spatial Plans are on hold, thus former frameworks, which are outdated and need revision are still force. Government's intentions is plans to be financed by EU's Recovery Plan for post Covid-19 era, which is not yet been enacted.

The eagerly awaited TDR & Land Bank, L. 4495/2017 and modified by L. 4759/2020, are far from implementation, due to lack of Special Spatial and Local Spatial Plans, which ought to include specific zones for Land Bank. Furthermore, as legalization of arbitrary construction and informal settlements continues and there is not an up-to-date enacted planning legal framework, it could cause serious problems in future efforts of the state, to impose integrated Spatial and Urban Planning.

Those delays and setbacks indicate that Greece's public administration is not prepared and ready to actually implement the foreseen planning processes. Lack in firm predefined processes, lack in human and technical resources could, probably, offer a satisfactory explanation for the insufficient implementation of Spatial Planning Legislation.

## 5. Conclusions and further discussion

Greece planning framework has a history of over 190 years. From the early beginning, in the 1830's State effort's was to follow current planning strategies and trends. In mid1860's

planning (spatial and urban) was under State's strict jurisdiction. Doubling its territories, after the end of WW I, and fostering and rehabilitation of over 1,500,000 refugees in the early 1920's dramatically affected Greece's legal framework on spatial and urban planning and the country's spatial organization, up to nowadays. After WWII country's recovery and development efforts targeted in the economy growth, through leverage of private financial resources, tourism and industry development and agricultural areas regeneration, besides political instability. Greece's new 1975 Constitution and political stability, coincided with its full EEC membership, in early 1980, affecting legal framework on planning, spatial development and cohesion between 1981-2009.

2008' economic crisis had an impact not only in Greece's economy but also in planning strategies and development framework. Legal framework, on spatial/ urban planning and development, modification and modernization was radical, but the implementation is still insufficient. Special Spatial Plans/ Regional Spatial Plans/ Local Spatial Plans, have not been fully activated. Fundamental development tools for integrated and sustainable planning, like Land Bank and TDR, are yet under preparation and consultation.

Even though public properties exploitation legal framework was enacted from 2011, the overall planning process goes slowly, few properties have approved ESXADA plans and even fewer have all the necessary approvals to actually start the foreseen investments. Private strategic investments are set back, as the expected simplification and speed up of process has not been applied. Unless the foreseen planning is fully implemented, the country will not be able to evaluate planning processes, to spot spatial any inequalities, to promote sustainable development and to proceed to the necessary alterations/ modifications/ adjustments of Spatial Planning tools and processes, especially in the after Covid-19 era, when even urban development plans might be revised, under the need for less densely populated areas assuring population's health protection and well-being, combined to economy recovery after the intense over a year lock down. A key element for planning success is the adaptivity of Greece's public administration to its fast elaboration and implementation.

## References

- Albrechts, L. (2004) 'Strategic (spatial) planning reexamined', *Environment and Planning B: Planning and design*, 31(5), pp. 743–758.
- Biris, K. H. (1995) *Athens from 19th to 20th century [In Greek: Ai Athinai, apo ton 18o ston 19o aiona]*. 5th edn. Athens: Melissa.
- CECA (1951) *Traité instituant la Communauté Européenne du Charbon et de l' Acier*. Paris, France.
- Clark, F. (1973) 'Nineteenth-century public parks from 1830', *Garden History*, 1(3), pp. 31–41.
- Cox, K. R. (2020) 'Development policy, Western Europe and the question of specificity', *European Urban and Regional Studies*, 27(1), pp. 4–17.
- Eadie, D. C. (1983) 'Putting a powerful tool to practical use: the application of strategic planning in the public sector', *Public administration review*, 43(5), pp. 447–452.
- EC (1997) *The Compendium of European Spatial Planning Systems and policies*. Luxembourg: European Commission.

- EC (1999) *ESPD, European Spatial Development Perspective: Towards Balanced and Sustainable*. Luxembourg: EC.
- EC (2010) *Communication from the Commission: EUROPE 2020 A European strategy for smart and inclusive growth*. Brussels: European Commission.
- EEC (1974) *Paris Summit Minutes*. Paris, France: EEC.
- Giannakourou, G. (2005) 'Transforming spatial planning policy in Mediterranean countries: Europeanization and domestic change', *European Planning Studies*, 13(2), pp. 319–331. doi: 10.1080/0365431042000321857.
- Giannakourou, G. and Kafkalas, G. (2014) *Spatial planning review in crisis period: necessity, content, preconditions of the reform*. Athens: Hellenic Bank Association.
- Jordan, D. P. (1992) 'THE CITY: Baron Haussmann and Modern Paris', *The American Scholar*, 61(1), pp. 99–106.
- Kunzmann, K. (2004) 'Culture, creativity and spatial planning', *Town planning review*, 75(4), pp. 383–405.
- Paccoud, A. (2016) 'Planning law, power, and practice: Haussmann in Paris (1853–1870)', *Planning perspectives*, 31(3), pp. 341–361.
- Perperidou, D.-G. and Tziortzioti, E. (2007) *Informal settlements in Greece: problem characteristics and new technologies' contribution for its solution*. Accessed at (October, 2018). December, Athens, Greece. December. Available ....
- Peterson, J. A. (2009) 'The birth of organized city planning in the United States, 1909–1910', *Journal of the American Planning Association*, 75(2), pp. 123–133.
- Theodoropoulos, P. and Perperidou, D.-G. (2019) 'Transfer of Development Rights & Cultural Heritage Protection: the Case of 3D Urban Implementation Plans', in. *5th Panhellenic Planning and Regional Development Conference*, Volos, Greece: Department of Planning and Regional Development, University of Thessaly, pp. 441–452.
- UNECE (2008) *SPATIAL PLANNING Key Instrument for Development and Effective Governance with Special Reference to Countries in Transition*. Geneva: United Nations.

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