

SPATIAL PLANNING IN REGIONAL PLANNING OF AGRICULTURAL LANDS AND RURAL AREAS

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Abstract

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Spatial planning specifies the requirements for agricultural lands through the provisions stipulated in the Spatial Planning Act /SPA/ and the Regional Development Act /RDA/. Conducting a successful regional policy as regards the agriculture industry requires optimal conditions on the planning and management of territorial resources, and especially of agricultural lands. This fact motivates the study of possibilities for the establishment of a system of integrated planning documents, which should combine and coordinate in a specific region industry socio-economic and territorial criteria for sustainable development in the field of agriculture across a specific region. A subject of analysis is the number and territorial scope of Bulgarian regions, as well as mechanisms to increase efficiency in their planning. The application of the research is related to the made conclusions about the theory and practice, through proposed changes in legislation and the planning toolkit for the purpose of agricultural territories.

Keywords: spatial planning, agricultural lands, regional development, integrated planning, arable lands, territorial zoning, purpose of territory

List of abbreviations: SPA Spatial Planning Act; RDA Regional Development Act; NRDS National Regional Development Strategy; NKPR National Spatial Development Concept; LPAL Law for Preservation of Agricultural Lands

Introduction

Spatial planning is the share of theory and practice that examines the status of the territories, including the agricultural lands. The requirements for the agricultural lands on the location and change of the purpose shall be governed by specifically drawn planning documents of the SPA and the RDA. Sustainable development and successful regional policy as regards the agriculture industry require optimal conditions on the planning and management of territorial resources, and especially of agricultural land under the provisions of the SPA and the RDA. This work examines the possibilities for establishing a system of integrated planning documents, which should combine and coordinate in a specific region, socio-economic and territorial spatial criteria for the sustainable development of each sector, including

agriculture. The number and territorial scope of Bulgarian regions are defined, as well as the mechanisms of normatively regulated documents for increasing efficiency in their planning. The application of this research is related to the made conclusions drawn concerning the theory and practice, through the proposed regulatory changes in legislation and the planning toolkit for the purpose of agricultural territories.

National documents related to the spatial planning of agricultural lands

National strategy for regional development /NSRD/

The potential for development, considered in the NSRD, is associated with “geographical location, construction of infrastructure, etc.”(NSRD for the period 2012-2022, p. 39).

From the examination of the analysis presented in the NSRD it can be concluded that the existing agricultural territories, as well as preserved and attractive natural environment along with the presence of numerous protected areas with rich biodiversity and rich cultural heritage, enable a highly developed agricultural sector. The unique landscapes and resources, as well as traditions in agriculture, have potential for further development of the sector and deserve special attention and specific approach in their planning.

In the NSRD it is noted that: “in the rural areas, more or less distant from major cities, it is necessary to stimulate the development of small cities which are evenly spread. But it must be considered that there is a great variety of regional situations, which depends on the specific phase of the cycle of urbanization in a country, and also on many other factors and local circumstances”(NSRD for the period 2012-2022, p. 85). The term “cycle of urbanization” is probably referred to overbuilt areas, whose agricultural purpose has been changed. This negative phenomenon has direct consequences for the development of agriculture and is associated with the regulation of spatial planning.

National development program “Bulgaria 2020”

It is a national strategic document of the highest rank, laying down the objectives and priorities for the development of Bulgaria in all sectors relevant to the achievement of the objectives of the Europe 2020 strategy, including the agriculture sector. The intended set of objectives /three main objectives and eight priorities/ contains “the development of agriculture to ensure food security and for the production of products with high added value in the sustainable management of natural resources” (NSRD for the period 2012-2022, p. 106-107). In section “Natural and Cultural Heritage, Tourism” – “traditions in agriculture”, and “formation of a regional product and its popularization in national and international aspect” have been targeted. (NSRD for the period 2012-2022, p. 193)

National spatial development concept /NSDC/

NSDC paying considerable attention to agricultural lands and emphasises that “for more effective land use planning integration of the peri-urban areas of major cities shall be sought in the strategies and plans for spatial development”. It indicates that “the smart spatial planning provides the *limitation of uncontrolled urban expansion*” (NSDC for the period 2015-2025, p.13). “In 2008, the United Nations Economic Commission for Europe determined the spatial planning as an activity aimed at “coordination or integration of the spatial dimensions of the sectoral policies through territorial-based strategies, more complex regulations on land use and the contradictions between sectoral policies” (NSDC

for the period 2015-2025, p. 16) and has considered it a key instrument for development and effective management, particularly in countries in transition. Thus, NCSD confirms the important role of spatial planning for the development of the agriculture sector. In the NCSD the most essential advantages of the country are summarized in several important findings, among which are: “The presence of areas with favorable conditions for the development of organic agriculture with fertile soils and clean and sufficient water resources, suitable climatic conditions, traditional industries and opportunities for diversifying the economic activity with the enterprises of the processing industry” (NSDC for the period 2015-2025, p. 30). They are not identified as areas for preventive protection and conservation of the land use available, but this circumstance may be reviewed in the future for the majority of them in the context of the proposed new regions and of the findings of the present research, because in the Strategic Objective 4 “Preserved Natural and Cultural Heritage” is stated: “Preventive protection of the characteristic areas with preserved traditional land use and with high conservation value and restoration of damaged by human activity areas” (NSDC for the period 2015-2025, p. 43).

In the Strategic Objective 5 “Incentive Development of Specific Areas” the soil and agriculture are also taken into account: “... Protection of water, soil and biodiversity and promotion of economic development and cultural exchange; ... Development of organic farming in municipalities with irrigation systems, bio-farming in certified areas, ecotourism in its most careful forms, tax preferences for conventional products (food, clothing, woodworking), etc.” (NSDC for the period 2015-2025, p. 44). In the section “Agriculture and Forestry – Condition, Objectives, Perspectives for Development” special attention is paid to the fact that “after the accession to the EU, Bulgaria compete on the common European market with some of the most highly developed economies” (NSDC for the period 2015-2025, p. 75). This requires a modern system for land management, including banking, land consolidation and measures to improve life in rural areas. “The basic problem is the fragmentation of the properties, uncompleted and amortized infrastructure in rural areas of Bulgaria. Proven is the need for a new legal framework, providing the conditions for both the land consolidation and its complex planning.

It is noted that there is no policy for the integrated development of agricultural territories with other descriptions – urbanized, environmental, forest, water, transport” (NSDC for the period 2015-2025, p. 76). In this regard, the revision of the territorial zoning of Bulgarian regions and of the documents for their integrated planning can improve the regulatory framework for the more effective management of

the agricultural sector. This question is discussed in the second part of this research, where we shall make concrete suggestions for normative changes. Similar is the problem for the protection of agricultural lands from the adverse effects of waters. Regionalization of basin directorates within the territory of the country confirms the hypothesis about the necessity of setting a new territorial scope of Bulgarian regions. The most significant spatial problems of the agricultural sector are: fragmented property and the slow process of consolidation to make more effective use of fertile land; unexploited potential of the irrigated land, depreciated water systems; depopulation and ageing in most rural areas; strong vulnerability and excessive dependence on agriculture; loss of soil fertility due to water and wind erosion, monoculture farming, soil salinization and acidification, and mechanical degradation; heavily depreciated and/or missing basic infrastructure in rural areas.

The strategy for the development of the agricultural sector and rural areas in Bulgaria by 2020 proposes as fundamental objective competitive, environmental-friendly farming and viable rural areas, ensuring the conditions for decent work and life” (NSDC for the period 2015-2025, p. 76). To realize this objective a reform in the spatial and regional planning is a necessary. Such a reform shall ensure the implementation of the guidelines for “ensuring food security and production of products with high added value in the sustainable management of natural resources through the introduction of innovations; mobilising the potential of rural areas to achieve balanced social and territorial development; reconstruction and modernization of infrastructure, water supply system ensuring effective use of water, good governance; restoration and reconstruction of facilities for protection from harmful effects of water. The combination of organic farming with natural resources is a resource base for ecotourism and sustainable local economy; consolidation of agricultural land, new regulations for land consolidation, projects for consolidation (with the inclusion of state and municipal funds), expected result – consolidation of agricultural plots of land and reduction of uncultivated lands” (NSDC for the period 2015-2025, p. 76-77).

An important principle in rural development policy is the preservation of agricultural lands and their fertile soil. “The lands of the highest category should be a subject of strict conservation actions by changing the purpose and urbanizing. The land resources, the traditional agricultural landscape and biodiversity are part of the national wealth of the country. Their conservation, restoration and appropriate management are the main target for sustainable rural development in Bulgaria” (NSDC for the period 2015-2025, p. 77). “In the subsector “Land/Soils” the most relevant for territorial

development are the measures and regulations governing the prohibition regimes for the change of the purpose of agricultural lands (especially those of a high category and the irrigated ones), against irreversible transformations in land use, construction and sealing of the soil and the loss of land as a precious resource, connected with feeding of the population” (NSDC for the period 2015-2025, p. 94). In the NCSD are defined “areas for preventive protection to protect the fertile agricultural lands, which make up the essential links in national and European environmental network” (NSDC for the period 2015-2025, p. 111).

National reform programme of the Republic of Bulgaria (2012-2020)

In the implementation of the Europe 2020 strategy to achieve sustainable, inclusive and smart growth the National Reform Programme of the Republic of Bulgaria (2012-2020) pays special attention to rural areas and set out priorities for quickly overcoming the crisis and increasing the competitiveness. “The priorities for improving the quality of education and diversifying the forms of access to education will increase the competitiveness of the younger generation and are reflected in the spatial polycentric model in urban development policies and linking them with the adjacent rural areas. Creation of a better business environment in the country and in the EU and increase confidence in institutions shall reflect through the administrative and institutional capacity and appropriate reformed legislation in implementation of the proposals for the spatial, social and economic development” (NSDC for the period 2015-2025, p. 14). The concept highlights “the strengthening of the links between urban and rural areas at all levels, by improving accessibility and the ability to work and planning of specific measures in support of the peripheral and sparsely populated rural areas. The primary responsibility for the development of the periphery lies on the urbanized areas. Interaction and partnership between urban cores and rural areas is intensifying, as the development of small cities fortifies their role of organising centres” (NSDC for the period 2015-2025, p. 12). Reinforcement of the polycentric network of city-centers with improved quality of the urban environment in the predictions of the NCSD shall further achieve a balanced territorial development and reduction of disparities between the central city and the peripheral rural areas. The NCSD notes that “rural areas have different structures and problems. Those deployed in the zones of influence of cities, as well as in the developed tourist locations are difficult to compare with the outlying rural areas, which cover about 60% of the national territory and are a serious concern” (NSDC for the period 2015-2025, p. 114-115) (Figure 1).

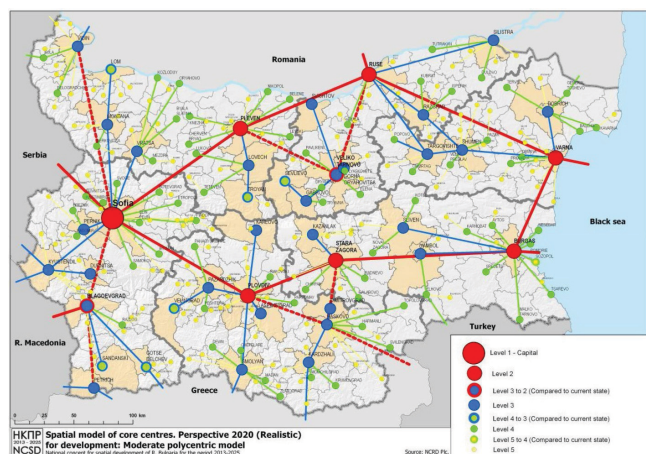


Fig. 1. “Moderate polycentrism” Model acc. to NSCD

“At the same time, rural areas shall not be transformed into functional extensions of agglomerations. Without its treatment as a panacea, the improved transport accessibility and provision of public services in small city-centers would help for the development of the endogenous potential of rural areas containing employment opportunities in tourism, agriculture forestry and the processing industry” (NSDC for the period 2015-2025, p. 114-115).

Spatial planning act and the law for preservation of agricultural lands

“(1) Agricultural lands are primarily a national treasure and are used only for agricultural purposes. (2) The use of agricultural land for the production of crops and grazing of cattle in a way not adverse to soil fertility and health. (3) Change of the purpose of agricultural land is only allowed in exceptional cases, when a proven need and subject to the conditions and procedures laid down by this law” (Par. 1, 2 and 3, Art. 2 of LPAL) is stated in the Law for the Preservation of Agricultural Land, in art. 2. Later in the same law a possibility is opened to change the purpose of agricultural land, which if not restricted by means of spatial planning shall lead to undue risks for the future: “Change of use of agricultural land for non-agricultural purpose shall not be allowed for:

- Construction of objects of the technical infrastructure for the purposes of the Spatial Planning Act;
- Creating new or expanding the boundaries of existing urbanized territories (cities and local entities);
- Creating or expanding the boundaries of individual planned properties beyond the boundaries of existing urbanized territories (cities and local entities)” (Art. 17a of LPAL).

Law clarifies that “the owner of the land or the client of the object lodged a detailed development plan for the site or

plot plan for the designated for approval area, under the conditions and in accordance to the Spatial Planning Act, which demonstrate the specific size and boundaries of the land. (2) In case of a detailed plan in force, the owner of the land or the client of the object or the person who has the right to build in the property offers a change of the land for non-agricultural purposes. The committees referred to in art. 17, par. 1 within 30 days of the proposal, lay down a decision to change the purpose of the agricultural land. (7) Agricultural lands are considered with changed purpose from the entry into force of the detailed plan, providing for the construction of a national entity or municipal entity of paramount importance, which are public state or municipal property” (Art. 24 of LPAL).

“According to their main purpose, as determined by the concepts and spatial development schemes and general development plans, territories in the country are: urbanized territories (cities and local entities), agricultural areas, forest territories, protected areas, damaged areas, water territories, and territories of transport. (2) Areas intended as agricultural, forest or urbanized can be simultaneously with the purpose of protected areas, defined by a special law” (Par 1, 2, Art. 7 of SPA), is regulated in Chapter II of the SPA “Purpose of the Territories and Land Property” in art. 7 (1). “The specific purpose of land property is determined by the detailed development plan and it may be in agricultural areas for arable lands (fields, orchards and vegetable gardens, vineyards, meadows, etc.) and uncultivated lands (pastures, slopes, ravines, gullies, etc.)” (Art. 8 (1), (2) of SPA), according to art.8 of the same Act. Spatial Planning Act gives a precise definition of the subject-matter of the general development plans, which often changes the purpose of agricultural land. Art. 107 of the SPA defines that “with the general development plan of the city with its belonging land is defined the general structure of the territory, the subject of the plan - residential areas; production-storage areas; areas for parks and gardens; areas for sport and entertainment; territories for public services; territories with objects of cultural heritage; territories for touristic and weekend house construction; territories of networks and facilities of technical infrastructure; agricultural areas; forest territories; areas for nature conservation; damaged areas for recovery; territories with special, any other or mixed-use” (Art. 107 (1) of SPA).

Research Application

Recommendations and proposals for changes in the regulatory framework

Integration of spatial and regional planning /including agricultural/ in the uniform documentation

The theoretical concept for the integration of territorial spatial and regional planning in the unified strategic and plan-

ning documents, theoretically and practically, shall result in better efficiency of the planning process as a whole and to save valuable public resource, time and personnel. A scientifically sound reduction from six types shall be achieved /two duplicates/ three types of integrated planning documents and as the total number of legally regulated with a total of 16 of 6 planning documents, which shall have a significant practical application. This shall fulfill the requirements for the integration and sustainability of the planning process in the spatial and regional development in terms of the individual socio-economic sectors, including the agriculture.

Regulation of four new regions, as part of this theoretical concept through its experimental modeling and empirical study, gives enough results to scientific-applied summary in this material. To illustrate part of the intended changes for the spatial and regional development (B. Borisov, *LT-PRD*, *Stroitel* newspaper, issue 13/11.04.2014) the graphics illustration attached diagram is given (Figure 2).

New spatial zoning

It is proposed to reduce the planning areas of NUTS 2 from six to four, which shall achieve a more even distribution of population by region, better matching of EUROSTAT, better and rational management and more proper formalization in functional and spatial meaning and in agricultural soil related criteria. Such might be the Danube area, the Black Sea area, the Thracian area and the Southwestern area. The new spatial zoning of the country offers a theoretical concept, whereby the whole territory is designated into four regions:

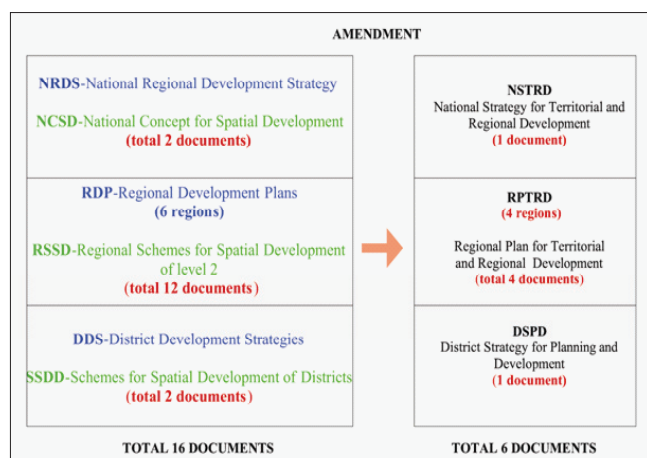


Fig. 2. Territorial development – main changes of reduction and integration of LTPRD (Law on Territorial Planning and Regional Development)
(Assoc. Prof. Dr. Arch. B. Borisov, the “Stroitel” newspaper, issue 13/2014, p. 10)

- The Danube area (Myziya) covers the territory of 12 regions with centers Vidin, Vratsa, Montana, Lovech, Pleven, Veliko Tarnovo, Gabrovo, Razgrad, Rousse, Silistra, Targovishte and Shumen, inland waterways and the Danube ports of the Republic of Bulgaria;
- The Black Sea area comprises territories of three regions with centers Varna, Dobrich and Bourgas, maritime spaces and the sea ports of the Republic of Bulgaria (possible is a variant with the inclusion of Shumen region);
- Thrace (Trakya) area covers the territories of eight regions with cents Kardzhali, Smolyan, Pazardzhik, Plovdiv, Haskovo, Stara Zagora, Sliven and Yambol;
- Southwest area encompasses the territories of five regions with cents Blagoevgrad, Kyustendil, Pernik and Sofia.

This proposal is made on the basis of spatial (including agricultural) characteristics of the individual regions aiming to unite the territories with the same, similar or complementary characteristics, socio economic, technical and spatial concern. Management of agriculture in more extended territorial scope within the consolidated regions and an integrated principle shall improve its effectiveness (Figure 3).

The system of the new four areas of level 2 is a territorial spatial structure with better potential integration on territorial policy of the European Union and serves for a more effective implementation of the European interregional links. It specifically meets the criteria for a regional belonging and identity to a given territory. The system of cultural corridors in South-East Europe, including the passage of five corridors in the regions – the Danubian corridor, the Diagonal corridor (Via Diagonalis), the Black Sea corridor Via Pontica/Black Sea corridor, West Trans-Balkan corridor, East Trans-Balkan corridor, also fits

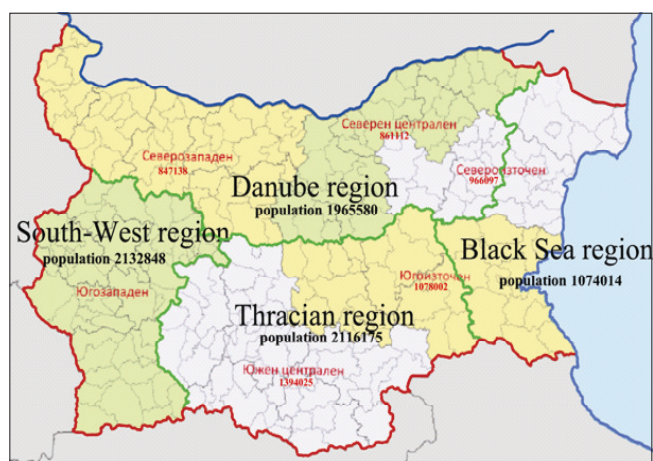


Fig. 3. A concept for a new zoning of Bulgaria
(Assoc. Prof. Dr. Arch. B. Borisov)



Fig. 4. Zoning of the territory of four Bulgarian areas in the context of river basin directorates
(Assoc. Prof. Dr. Arch.B. Borisov)

accurately in the concept of the new spatial zoning. The system of dividing the territory of the country in accordance with the principles of basin directorates entirely complies with the new zoning proposal, whereby the system for irrigation of agricultural land can be more effectively managed (Figure 4).

Conclusion

To achieve the objectives of the new spatial zoning, for the preservation of agricultural lands, natural and anthropogenic resources and of the environment in regional development, a conceptual proposal for spatial planning coordination of objectives, priorities and measures in sectoral agricultural policy is available at the level of the new regions in conceptually new integrated planning documents, combining the socio-economic and territorial planning. Facilitation of the process of inte-

grated strategic planning and achievement of the objectives of the National Development Programme “Bulgaria 2020”, in which the key priorities in the field of agriculture need to find their true dimension in the regional territory, also motivate the concept of differentiation of new uniform areas /the Black Sea, the Danube, the Thracian and the Southwestern/ in national legislation. This would justify the spatial planning selection and the interconnection of specific agricultural areas within the national territory, within the regions, the regional and municipal areas in which is possible concentration and integration of resources to support the development of agriculture, including for preservation of agricultural lands and for the study, conservation and development of agricultural spatial values of national, regional and local level.

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