

# Some Coasts Take Time...

Analysis of the Planning Practise Along the West Coastal Areas of National Interest

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**Some Coasts Take Time...**

**Analysis of the Planning Practise Along the West Coastal Areas of National Interest**

130 pages.

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Chalmers University of Technology  
Gothenburg 2017

## **Master's Thesis**

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### **Analysis of the Planning Practise Along the West Coastal Areas of National Interest**

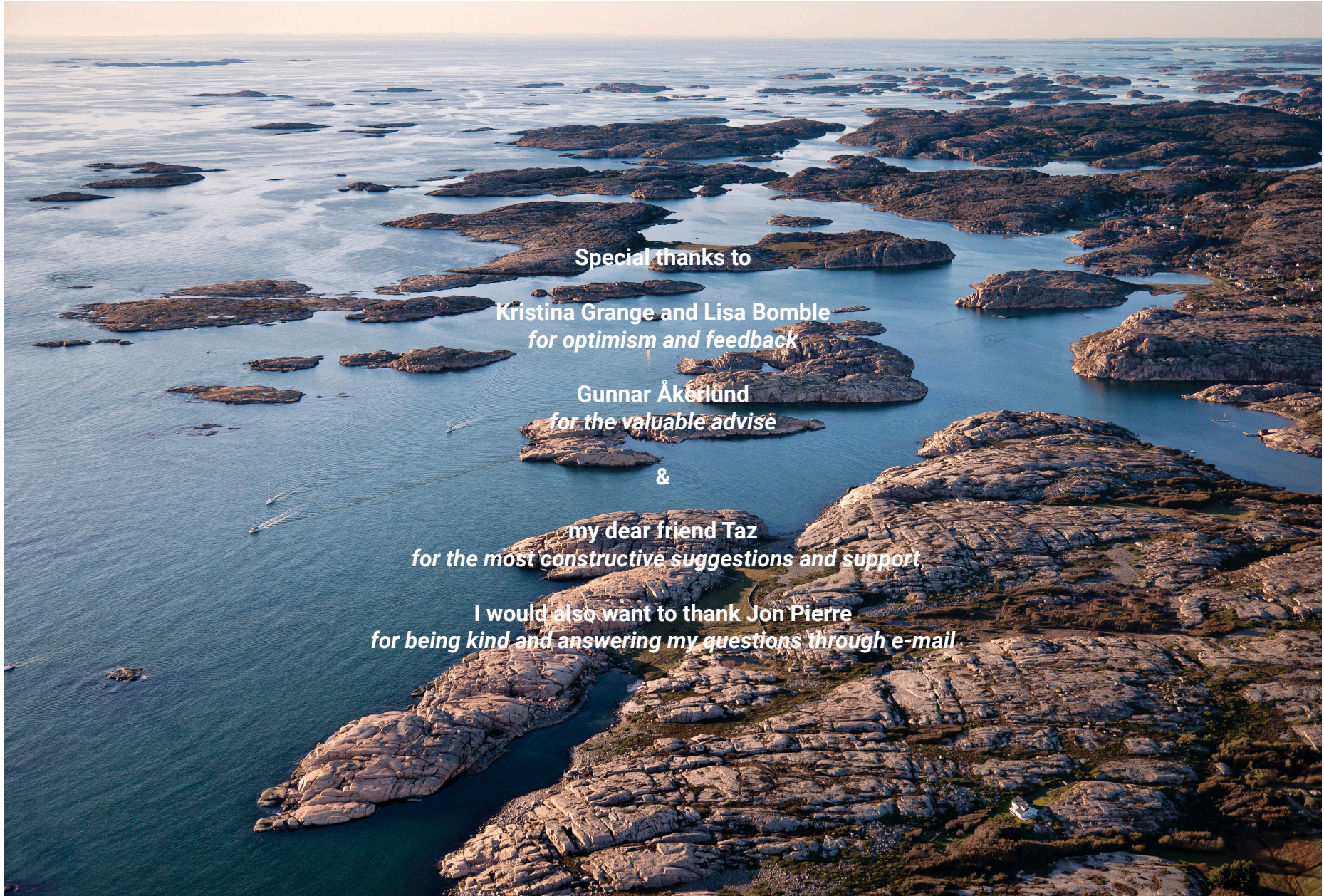
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Spring Semester (2017)

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**CHALMERS**  
UNIVERSITY OF TECHNOLOGY



Special thanks to

Kristina Grange and Lisa Bomble  
*for optimism and feedback*

Gunnar Åkerlund  
*for the valuable advise*

&

my dear friend Taz  
*for the most constructive suggestions and support.*

I would also want to thank Jon Pierre  
*for being kind and answering my questions through e-mail.*

*“You cannot get through a single day without having an impact on the world around you. What you do makes a difference, and you have to decide what kind of difference you want to make.”*

*- Jane Goodall*

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## Glossary of Terms

§/§§	Section/Sections
CAB	County Administrative Board
Chap.	Chapter
Chap. 4	Chapter 4, sections 1-4 of the Swedish Environmental Code
National Interests	Chapters 3 and 4 of the Swedish Environmental Code
NLP	National Land-Use Planning
NRA	Natural Resources Act
PBA	Planning and Building Act
SEC / The SEC	Swedish Environmental Code (SFS 1998:808)
VG CAB / The Board	Västra Götaland County Administrative Board

# ABSTRACT



*“It is our collective and individual responsibility..  
to preserve and tend to the world in which  
we all live.”*

*- Dalai Lama*

## Abstract

The coastal areas and archipelagoes of Bohuslän are considered as unique and one of the world's ten most beautiful wilderness areas. Due to previous rapid development of industry and increases in living standards, many of these are now regarded as areas of national interest in the Swedish Environmental Code (SEC) making development of such areas more challenging for municipalities today.

The aims as stated in the SEC are to preserve areas that are of great national significance, and restrict changes in land-use for municipalities. This thesis focuses on chapter 4, sections 1-4 of the SEC. Considered ambiguous by some, how the regulations are interpreted in the process of spatial planning is crucial for how these areas are planned and thereby developed in the future.

The three main aims of this thesis are:

- to investigate how the interpretation of the regulations affect the process of detailed development planning, including the formal decision-making process and thus the end result;
- to highlight the points in question and similarly discuss how to address them;
- to critically discuss the role of a municipal planner in the planning process.

This study is carried out through benchmarked case studies, using qualitative research analysis and qualitative research interview as the main methods. The concept of *government* and *governance* are used to approach the aims of this thesis, since spatial planning as a process of decision-making about land-use in society is believed to have elements of governance, but also government.

What this thesis reveals is that how the regulations are interpreted has a significant impact on how the planning process is carried out. Moreover, involvement of a private actor as a driving force behind the detailed development plan, seemingly impacts the process and the outcome of the plan.

The results of the study also show that a municipal comprehensive plan plays an important role in considering the regulations in accordance with chapter 4 of the SEC in a process of detailed development planning. More importantly, the analysis reveals the need for the regulations to be adapted to the nationwide values of the areas of national interest, but at the same time, taking current requirements into consideration.

# 1. | INTRODUCTION



*"The only thing worse than blind is to have sight  
but no vision."*

*- Helen Keller*

## 1.1 | Problem Area

The coastal areas of Bohuslän are considered as unique (Länsstyrelsen Västra Götaland [LVG], 2015) and one of the world's most beautiful wilderness areas with its islands and skerries (CNN, 2017, *10 of the World's Last Great Wilderness*). Many of these have important qualities to be preserved ([CAB] County Administrative Board, 2015) and are considered as areas of national interest in the SEC (SFS 1998:808).

Due to previous rapid development of industry and increases in living standards, many coastal areas were regarded as areas of national interest through guidelines in National Land-Use Planning (NLP) during 1960s (Segrell, 1995). The regulations for the areas of national interest in the SEC address water and land-use issues that were not accounted for during the times of the NLP. The guidelines in NLP were made binding in the Natural Resources Act (NRA) (1987:12, chapter [chap.] 3). In 1998, the regulations in chap. 3 of the NRA remained unchanged and also became chap. 3 and 4 of the SEC (1998:808).

Since then, society has seen new forms of planning and decision-making, as well as new societal interests and land-use. Therefore, the fact that a municipality or a part of it is considered an area of national interest, conflicts with the municipal planning (Kommittédirektiv 2013:126).

The regulations and their implementation have been criticised by Boverket (2012), CAB (2012), and Swedish Association of Local Authorities and Regions ([SKL] 2011), to name a few, who believe that the implementation of the regulations do not follow the intentions of the regulations in many ways, and therefore deem them vague. This led to the government, through the committee directive, deciding to review the regulations in chap. 3 and 4 of the SEC, which resulted in recommending some changes to the regulations (2015:99).

On the other hand, larger parts of Sweden are today facing housing shortages (Boverket, 2017a, pp. 1,4,8) which the government committee (SOU 2014:99) also confirms. The government committee directive (dir. 2013:126) concluded in their interim report regarding housing shortages in relation to the areas of national interest, that the regulations for the said areas affect the planning for housing, since the regulations restrict changes in land-use.

They state this also as a reason behind why many detailed development plans legally in force are never followed through for development, since the land developers have more of an economical interest in developing these areas (SOU 2014:59).

In light of the above, the extent to which the regulations for the areas of national interest influence municipal planning processes makes it essential to study how they affect future development of the coastal areas and archipelagoes of Bohuslän.

## 1.2 | Problem Statement

In order to be able to develop the areas of national interest according to chap. 4 of the SEC, the regulations in chap. 4 are broadly interpreted from the point of view of the planned development, as opposed to the natural and cultural assets of these areas. This conflicts with the government's interpretation of the regulations that intend to ensure the preservation of the significant values of these areas during the planning processes. Therefore, how the regulations are interpreted by the different actors, affects how a planning process is carried out. According to the Planning and Building Act (PBA) (SFS 2010:600), the regulations are to be administered in a comprehensive plan, which lays out a crucial grounding for how the regulations are to be applied in detailed development planning processes.

The main intentions of chap. 4 of the SEC are:

- to preserve areas that are of great national interest;
- to restrict changes in land-use for municipalities.

However, the regulations laying out these intentions are open to interpretation. Considered too general to provide clear guidance by some, even to the point of ambiguity, how the regulations with regard to areas of national interest are interpreted by the actors in the process of spatial planning is crucial for how these areas are planned, and thereby to the extent they are developed in the future.

## 1.3 | Purpose and Aims

The purpose of this thesis is to analytically study how the regulations for the areas of national interest according to chap. 4, sections (§§) 1-4 of the SEC are interpreted in the process of spatial planning, with a particular focus on detailed development planning process, for the coastal areas and archipelagoes of Bohuslän.

The aims of this study are:

- a. to analytically investigate how the regulations are interpreted and followed in the detailed development planning process, as well as how well it relates to comprehensive planning, and how the regulations affect the formal decision-making process and therefore the end result;
- b. to highlight the points in question which arise during the planning process, and initiate a discussion on how to address these;
- c. to approach aim *a* from the point of view of the municipal planner, and critically discuss the role of a municipal planner in the planning process.

This thesis can be regarded as an attempt to improve understanding about the background of the areas of national interest - geographically limited to Bohuslän - as presented in chap. 4, §§1-4 of the SEC, and to increase awareness about how the regulations are currently applied in detailed development planning process.

## 1.4 | Thesis Questions

1. How does the planning process in detailed development planning for the areas of national interest in Bohuslän address the intentions of the regulations according to chap. 4, §§1-4 of the SEC?
2. In what way does the interpretation of the regulations by the different involved actors affect the planning process, including the formal decision-making process?
3. How could the issues raised as a result of the regulations, if any, be addressed?
4. What is the role of a municipal planner in the planning process?

Question 1, along with question 2, intent to approach aim a. Additionally, questions 1 and 2 also help to “highlight the points in question which arise during the planning process” in first part of aim b.

Investigating the answers to questions 1 and 2 will eventually also reveal how well the detailed development plan relates to the comprehensive plan. While question 3 addresses the latter part of aim b, question 4 is intended to answer aim c.

## 1.5 | Organisation

The remainder of this thesis is organised as follows:

*Chapter 2* outlines the historical background for the areas of national interest to present the current regulations in chap. 4 of the SEC. It also discusses the broad criticism towards the regulations and presents the areas of national interest according to chap. 4 of the SEC in the county of Bohuslän.

In the first part of *chapter 3*, the conceptual and theoretical aspects of the thesis, from the point of view of *government* and *governance*, are discussed. The latter part of this chapter takes the discussion a step further by elaborating on how to operationalise the concept of governance in the process of spatial planning.



*Chapter 4* is devoted to the methods used to conduct this study, which comprise the case study research method and semi-structured interviews. Two cases, each with a detailed development plan, in view of the regulations in chap. 4 of the SEC were selected, and a municipal planner from each case who had been involved in the original planning process was interviewed.

*Chapter 5* presents the results of the analysis of the empirical data and the interviews with a discussion about the results from a theoretical point of view. It looks closely at how the chap. 4 regulations are interpreted differently by the different actors and how the interpretation affects the planning processes. It also sheds light on how the CAB tries to ensure that the regulations are followed, whereas the municipalities are obliged to consider the chap. 4 regulations, along with other interests, for example private interests, as well.

Finally, *chapter 6* reviews the aims of this thesis by discussing the results and putting forward what this thesis reveals. An important conclusion of the analysis is that the regulations in chap. 4 of the SEC need to be revised in order to ensure that the values for the areas of the national interest are preserved, but also taking current needs into consideration. This chapter concludes with a more general discussion about possible future investigations and some final remarks.

## 2. | BACKGROUND



*"There are no straight lines or sharp corners in nature... therefore, buildings must have no straight lines or sharp corners."*

*- Antoni Gaudi*

This chapter presents the historical context for the regulations for the areas of national interest.

Introducing the historical background for the areas of national interest is necessary for understanding the implementation of the regulations today, when development of the coastal areas and archipelagoes still conflicts with their preservation.

*Section 2.1* introduces the NLP in the 1960s when the need for guidelines on land-use emerged as result of rapid development, followed by NRA and PBA, to finally present the existing acts: new PBA, and SEC. The regulations for the areas of national interest according to the SEC are implemented through PBA, and it is therefore PBA is also presented below. This thesis focuses on the coastal areas and archipelagoes of Bohuslän according to regulations in chap. 4, §§1-4 of the SEC. Herein, the role of the County Administrative and the municipality in the implementation of the regulations for the areas of national interest are also mentioned.

In *section 2.2*, the county of Bohuslän with a specific focus on its natural and cultural values are presented.

Finally, *section 2.3* brings forward the present broad discussion and criticism towards the regulations for the areas of national interest according to the SEC.

## 2.1 | Areas of National Interest : From Guidelines to Regulations

During the 1950s in Sweden, there was a strong economic development with structural changes in industrial life (Svensson et al. 1971, pp. 9-13).

Rapid structural changes in the industry and also an increase in the standard of living, from the point of view of recreational and industrial interests, placed demands on some of the coastlines. Certain municipalities, exposed to the pressure of conflicting land-use interest, were seemingly unable to cope with the dilemmas of the changes in the land-use that had arisen (Forsberg, 1992, p. 40; Segrell, 1995, p. 18). On the other hand, the government did not have formal rights to decide on the issues of interest to the nation, such as to influence the changes in land-use. Similarly, a preparatory work for NLP was carried out by the government which resulted in proposals for land-use guidelines (Segrell, 1995, pp. 20-1).

### 2.1.1 Initiatives Taken: National Land-Use Planning

In 1966, the final initiative to develop NLP was taken. NLP guidelines aimed to protect areas and activities of national importance, through which the central government took initiatives to put restrictions on and sanction changes in land-use (Forsberg, 1992, pp. 10-11; Civildepartementet, 1971, p. 339). The guidelines for coast aimed, where possible, to preserve and protect their values and to protect the natural environment against harmful impacts as a result for an intensive usage for recreational purposes (Civildepartementet, 1971, p. 339).

As a result, a number of activities and geographically defined areas of national interest were considered and given protection in local spatial planning and decision-making. NLP provided guidelines for activities and geographical places.

NLP was in force in 1973, introduced as adaptive planning that could be redefined in pace with changes (Forsberg, 1992, p. 155). The guidelines concerned, to a large extent, the coast and were geographically divided into three categories: the highly developed coast<sup>1</sup>; the unbroken coast<sup>2</sup>; other coast and Gotland and Öland (Segrell, 1995, p. 20).

<sup>1,2</sup>Author's own translation.

The work to further improve planning resulted in, amongst others, establishing the municipal comprehensive plan, the so-called “*kommunöversikt*” (Segrell, 1995, p. 21; Bostadsdepartementet, 1981, pp. 11-2). The responsibilities within the NLP were shifted from the municipality to the state, where decision-making for land-use was concerned.

The state had now increased possibilities to influence the development of the natural resources. Meanwhile, this meant decreased possibilities for the planners and politicians at the municipal level, as they had to take the areas of national interest into consideration in their spatial planning (Forsberg, 1992, p. 12).

At the regional level, the work was to provide the municipalities with relevant planning documents, while at the local level, the NLP was to be applied in the municipal comprehensive plan (Ibid).

NLP was not codified as a single Act, although, its guidelines were to be implemented through decisions regulated by other Acts i.e. the Building Act. The guidelines had to be interpreted and applied to the so-called spatial plans of all the affected municipalities (Forsberg, 1992, p. 156). The Riksdag Resolution in 1972 did not mean that NLP was adopted as a law, but that it would be regulated. This also led to working with a suggestion for a new PBA (Segrell, 1995, p. 21).

### 2.1.2 Adopted as an Act: Natural Resources Act

In 1987, guidelines for specific geographically defined areas in NLP were introduced in Chap. 3 of *Special Provisions Concerning Certain Activities* of the NRA, where the mentioned areas were entirely seen as areas of national interest (Bostadsdepartementet, 1986, pp. 79-81; 170).

The provisions concerning certain activities in NRA were applied through PBA (1987:10). One of the aims of PBA was to decentralize the decision on planning for water and land to the municipalities. Municipalities according to the PBA had to have a current comprehensive plan that provided guidance for decisions on how the land- and water-areas should be used.

The provisions were applied in a municipal comprehensive plan, and thereby in legally binding plans (detailed development plan and area regulations) through PBA (Karlsson et al., 1986, s. 79).

### 2.1.3 Provisions Embedded: Swedish Environmental Code

In 1998, regulations for the areas of national interest in the NLP remained without any changes to chap. 3 and 4 of the SEC, which was in force in 1999 (SOU 1998:898). The reason behind the government's proposal to embed the provisions from the NRA into the SEC was to ensure a greater awareness of land-use and environmental issues.

The government's examination (1998) of the NRA revealed what was considered to be an area of national interest and what preservation was required was unclear in the regulations for the areas of national interest according to the NRA, but the government did not recommend any changes (prop. 1997/98:45, pp. 402-3).

According to the proposition (1997/98:45, pp. 573-4), insertion of the regulations for the areas of national interest according to the NRA in the SEC, would not affect the municipal comprehensive planning according to the PBA, and neither would it affect the roles of the municipalities.

This thesis focuses on specific sections of chap. 4, §§1-4 of the SEC that are currently (2017) valid and applied to the geographically defined area "*from the Norwegian border to Kattegat*" (see *Figure 1*, p. 25).

The relevant sections are as follows :

### *Section 1*

This first section is a comprehensive regulation for when development projects and other intervention in the environment could be carried out, and is applicable to all of the coastal zones in Bohuslän:

*“The areas mentioned in sections 2 to 7 are of national interest in their entirety in view of the natural and cultural assets that exist there. Development projects or other environmental interventions may only be undertaken in these areas where they are not contrary to the provisions of sections 2 to 7 and can be implemented in a manner that does not significantly damage the natural and cultural assets of these areas.*

*The provisions of the first paragraph and sections 2 to 6 shall not be an obstacle to the development of existing urban areas or local industry or the construction of installations that are needed for the purposes of the total defence. Where special circumstances exist, these provisions shall not prevent the erection of structures for the extraction of deposits of substances or materials referred to in chapter 3, section 7 second paragraph.”*

### *Section 2*

This section provides supplementary regulation for tourism and outdoor recreation, and outdoor recreational exercise in particular, in the northern coastal zone of Bohuslän (*the unbroken coast*).

*“In the following areas special consideration shall be given to the interests of tourism and outdoor recreation, in particular outdoor recreational exercise, in connection with assessments of the permissibility of development projects or other environmental intrusion: the coastal area and archipelago of Bohuslän from the Norwegian border to Lysekil; (...).”*

### Section 3

This section prevents environmentally disturbing industries in the northern coastal zone of Bohuslän (*the unbroken coast*).

*“Activities and operations referred to in chapter 17, section 1, points 1-11 and 17 must not be established in the coastal areas and archipelagoes of Bohuslän from the Norwegian border to Brofjorden (...).”*

### Section 4

According to section 4, the undeveloped land with natural and cultural assets in southern coastal zone (*the highly developed coast*) in Bohuslän could be used for outdoor recreational exercise. Holiday homes can only be built as a complement to existing buildings. Environmentally disturbing industry can only take place in Brofjorden, Stenungsund and Gothenburg (Länsstyrelsen Västra Götaland, 2000).

*“In coastal areas and archipelagoes from Brofjorden to Simpevarp (...) permanent recreation accommodation may only be built as a complement to existing buildings. Nevertheless, where special reasons exist, other recreation accommodation may be built, in Ds 2000:61 23 particular accommodation that satisfies the needs of outdoor recreational exercise or consists of simple holiday houses near the main centres of population.*

*In the areas mentioned in the first paragraph, activities and operations referred to in chapter 17, section 1, points 1-7 and 10-11 may only be established in locations where activities and operations already exist that are subject to a permit application procedure pursuant to those provisions.”*



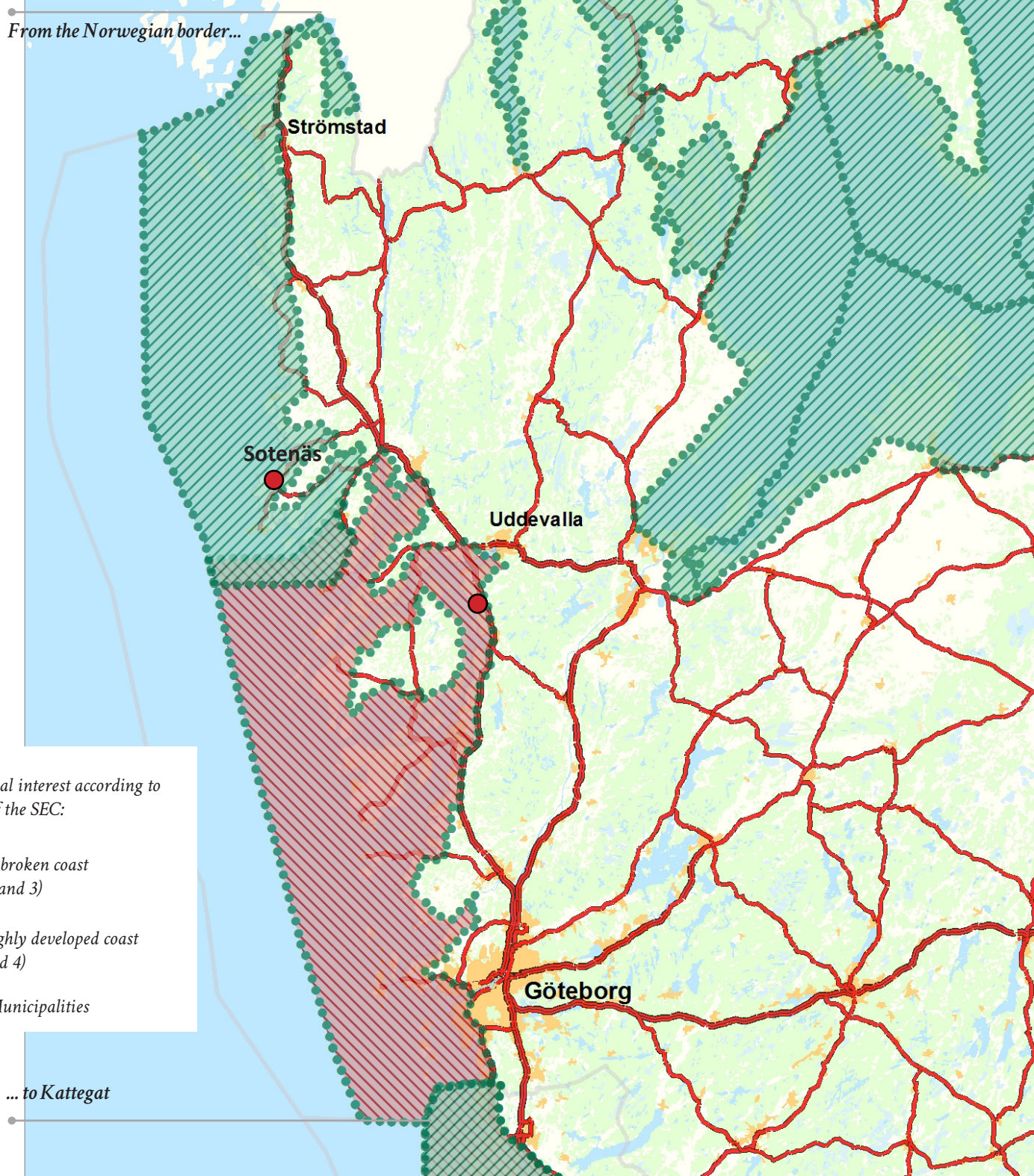





Figure 1:  
Areas of national interest according to  
chap. 4, §§1-4 of the SEC:

-  The unbroken coast  
(§§1, 2 and 3)
-  The highly developed coast  
(§§1 and 4)
-  Case Municipalities

## 2.1.4 On the Roles of the Municipality and the County Administrative Board

The PBA (SFS 2010:900) was in force in 2011, which replaced the 1987 PBA (SFS 1987:10). According to chap. 3, §10; and chap. 5, §§14,12 of the PBA, the CAB should coordinate and monitor the interests of the State and ensure that national interests in accordance with chap. 3 and chap. 4 of the SEC are observed (Boverket, 2014). According to chap. 11, §10 of the PBA, the CAB can re-examine the municipality's decision on a detailed development plan if the decision can be assumed not to satisfy a regulation regarding the national interests in accordance with chap. 3 or 4 of the SEC.

The Board's decision to re-examine the municipality's decision on a detailed development plan can be appealed to the government (SFS 2010:900) in accordance with chap. 13, §5 of PBA (earlier chap. 13, §4; SFS 1987:10).

A municipality must according to chap. 3 of the PBA indicate the areas of national interest in accordance with chap. 3 and 4 of the SEC through its comprehensive plan (Boverket, 2014). A municipal comprehensive plan is not legally binding but indicates the orientation for the long-term development of the physical environment, which forms the basis for a detailed development plan and area regulations (SFS 2010:900).

On the other hand, a municipality, according to chap. 2 of the PBA also has to consider both public and private interests. As stated in e.g. chap. 2, §§2 and 3 of the PBA (SFS 2011:900):

### *Section 2*

*“The purpose of planning ... must be that, land and water areas shall be used for the purposes for which they are best suited in view of their nature and situation and of existing need. Priority must be given to usage that promotes good management in view of the public interest. The provisions on management of land and water areas in Chapter 3 and Chapter 4, Sections 1–8 of the Environmental Code must be applied. Act (2014:862).”*

### *Section 3.4*

*“(...) good economic growth and efficient competition (...)”*

### 2.1.4.1 Some Statistics

According to the statistics from Boverket (2017 b), the CAB in the year of 2016 annulled totally 10 detailed development plans within the framework of state supervision under chap. 11, §11 of the PBA. This corresponds 43% of the total detailed development plans that the Board decided to review in 2016.

More importantly, the Board annulled 50 % of the detailed development plans in 2016 referring to chap. 11, §10 of the PBA. This means that one or more of the regulations for the national interest in accordance with chap. 3 or 4 of the SEC were not met, making *national interests* the primary reason for annulling the detailed development plans in 2016.

<i>Detailed development plans</i>	2015	2016
Adopted	1193	1270
Appealed	359	259
Annulled (partly/entirely)	29	30
Examined according to chap. 11, §10 of PBA	34	23
- Examined referring to national interests	8	7
Annulled according to chap. 11, § 11 of PBA	15	10
- Annulled referring to national interests	4	5

Figure 2: Statistics for detailed development plans according to Boverket (2017 c) for the year of 2015 and 2016

## 2.2 | Coast of Bohuslän: An Area of National Interest

In Gothenburg and Bohuslän, a comparison in the year of 1963 shows that in total 8.4 % of Sweden's population lived in Gothenburg and Bohuslän, while 9.3 % of the country's holiday homes were also in Gothenburg and Bohuslän (Forsberg, 1986, pp. 41-2).

In particular, the land-use for industrial and leisure interest along the coast, mainly in Bohuslän, led to some conflicts. The complexity lay in the problem that the coastal areas of Bohuslän no longer had the capacity for expansion. On the other hand, the large industrial constructions and infrastructure gave new character to the landscape (Segrell, 1995, p.18). It was as a response to such conflicts and problems in coastal areas that the government initiated the NLP in 1966. Their motive was to solve the planning issues and conflicts between the different property rights interests, especially along the coast (Segrell, 1995, p. 20).

Bohuslän lies in Western Sweden and stretches 160 km from the Norwegian border in the South to Gothenburg (Nationalencyklopedin, 2017). The coastline of the archipelagoes of Bohuslän that stretch 3 km inland are covered by the regulations in chap. 4 of the SEC (LVG, 2000, p. 8).





The coastline in Bohuslän is divided into:

- an “*unbroken coast*” - the coast from Lysekil to the North to the Norwegian border;
- a “*highly developed coast*” - the coast from Lysekil to South to the border between Gothenburg and Kungsbacka (LVG, 2000, p. 10; 2015, pp. 3,7).

Some of the valuable natural and cultural assets in the coastal areas and archipelagoes of Bohuslän are:

- skerries and archipelagoes for example in *Koster, Väderöarna and Pater Noster*;
- and loch and bays like *Idefjorden and Gullmarsfjorden* (LVG, 2000, pp. 12-3).



LVG (2000) emphasises in their publication “*Kustområdet och skärgården i Bohuslän*” the value of the natural and cultural assets in Bohuslän for the people.

Some of the characteristic values in *the unbroken coast* are for example:

- highly classed ancient monuments with their surroundings;
- compliance for tourism;
- and compliance for outdoor recreation such as swimming areas and fishing spots. (LVG, 2000, p. 10; 2015, p.11)

While values in *the highly developed coast* are characterised by:

- their closeness to populated areas;
- highly classed ancient monuments with their surroundings;
- and a recreational environment for a large number of people. (LVG, 2000, p. 10; 2015, pp.14-5)



## 2.3 | National Interest Today: Ambiguous Regulations?

The government in 2013 through a committee directive appointed a committee of inquiry to review chap. 3, and relevant parts of chap. 4, of the SEC (dir. 2013:126, p.1).

According to the committee directive (dir. 2013:126, p. 4), regulations for the areas of national interest have been criticised since the NRA. The committee believes that the regulations should be simple to administer in the municipal planning (Ibid). The government in the committee directive further criticises the former establishments (NRA) for the areas of national interest as not being well-founded, which have led to that considerable parts of the regulations do not function as they should anymore (dir. 2013:126, p. 97). The interpretation, and therefore application, of the regulations for the areas of national interest differ between authorities, as well as between municipalities (Ibid).

The assigned committee was, among other things, supposed to explore how the regulations in chap. 3 and 4 of the SEC are administered in planning and decision-making according to the PBA (dir. 2013:126, p. 99). The committee was supposed to suggest certain changes for the national interests (chap. 3 and 4 of the SEC) that are adaptable over time and focus on actual needs, amongst other things. The assignment was to be presented in a final report by December 2015 (dir. 2013:126, p.1).

The regulations for the areas of national interest have been criticized by other authorities and bodies as well. SKL in their report *"Hantering av riksintressen"* (2011, p. 2) believe the regulations for national interests as not successful today. SKL also believes that the national interests should be kept up-to-date and described in a way that improves the municipal planning processes (Ibid).

Boverket in 2006 reviewed the coastal areas and archipelagoes in accordance with chap. 4 of the SEC and agrees with SKL that the regulations for the national interest need to be revised (Boverket, 2006, pp. 10-1). Boverket (2006) deduced that the issues concerning housing pressures, especially in *West coastal areas, Skåne and Stockholm*, need to be addressed (p. 105).

<sup>3</sup>Author's own translation  
- The term in Swedish:  
'tillgodoser'

In addition, the regulations for the areas of national interest have been criticised by the CAB(s) in Sweden (2014:4) as well. For example in the report "*Arbetsmetoder och riktlinjer för länsstyrelsernas arbete med planeringsunderlag - redovisning av uppdrag 49 i regleringsbrev 2011*" (2012:4, p.17), the Boards mention that the administration of the regulations for the areas of national interest in chap. 4 of the SEC needs to be clarified.

According to the final report (SOU 2015:99), as per (dir. 2013:126), it is suggested that the term "*significantly damage*" in chap. 4, §1 of the SEC could be replaced by "*accommodate*"<sup>3</sup> as follows:

*Original regulation (chap. 4, §1 SEC):*

*"(...) Development projects or other environmental interventions may only be undertaken in these areas ... can be implemented in a manner that **does not significantly damage** the natural and cultural assets of these areas. (...)"*

*Suggestion (SOU 2015:99):*

*"(...) Development projects or other environmental interventions may only be undertaken in these areas ... can be implemented in a manner that **accommodates** the natural and cultural assets of these areas. (...)"*

The government in the final report (SOU 2015:99, p. 23) suggested further changes in the regulations for the areas of national interests in accordance with the SEC, and believed that the suggestions meet both the legislator's and the current need. These concern chap. 3 and 21 of the SEC, but are not discussed here since they are not covered by the aim of the thesis.

### 3. | CONCEPT



*“Nature and books belong to the eyes  
that see them.”*

*- Ralph Waldo Emerson*



This chapter presents the theoretical approach for the thesis which is based on the concept of a structural change in the society often described as *governance* where *government* forms a part of it.

Municipalities are facing increasing demands from business and commerce to provide attractive land near the coast. The municipalities themselves also want to increase coastal areas because it improves the economy of the municipality and thereby increases the tax revenue. Therefore, the municipality has an incentive to interpret the regulations in a manner that does not promote environmental interests. The CAB plays an important role - it has to ensure that the municipalities do not violate the regulations during the planning processes.

The *governance* process therefore becomes a discussion between the municipality, private land developers, the business community, and the CAB. The municipality, as a *government*, has the primary responsibility to maintain the law and regulations in the planning sector, but they are struggling with their own financial interests. Analysing the regulations for the areas of national interest according to chap. 4, §§1-4 of the SEC through the points of view of *government* and *governance* is therefore necessary.

First, the concept of *government* and *governance* is presented, and thereafter, the focus is narrowed down to the subject of spatial planning.

Finally, this chapter presents how the concept of *governance* could be operationalised in empirical research on spatial planning, specifically in the process of detailed development planning, by introducing the *four generic categories of governance-oriented empirical analysis* developed by Nuissl and Heinrichs (2011). These empirical analysis-categories form the base for analysing the empirical data in this thesis.

### 3.1 | Government and Governance: Hierarchy to Network

The rapid expansion of international trade and deregulation of the financial markets, amongst others, is commonly referred to as globalisation. The economic crisis and discussion on how to redefine the connection between the market, politics, and civil society led to the emergence of a new model of government in the 1990s (Pierre and Sundström, 2009, p. 8,9).

Governance, despite its recent prominence, is not an entirely new term (Pierre and Peters, 2000, p. 1; Montin and Hedlund, 2009, p. 32). What has changed is the role of government in governance (Pierre, 2011, p. 5).

In *“The Politics of Urban Governance”*, Jon Pierre, discusses the interplay between the state and society, and a joint public and private mobilisation of the resources, referred to as *governance* (Pierre 2011, p. 5). Pierre (2011) denotes that politically implied, the public sector is not obligated to deliver all the public services itself, but could coordinate it among public and private actors, and other potential participants. While academically, he adds, *governance* shifts the attention from the institutions to processes (Ibid). Pierre (2011) argues that government has continued to play a key role in the provision of services and describes the shift from ‘government to governance’ as ‘an unfortunate choice of words’ (Pierre 2011, p. 5).

In their book, *“Governance, Politics and the State”*, Jon Pierre and Guy Peters (2000) state:

*“We believe that the role of the state is not decreasing as we head into the third millennium but rather that its role is transforming, from a role based in constitutional powers towards a role based in coordination and fusion of public and private resources.”* (Pierre and Peters, 2000, p. 25).

Pierre and Peters (2000), but also Pierre (2011), discuss that the governance approach redirects attention from formal structures of local government to processes as a result of which cities correlate to their environment. While *government* centers around structures and institutions, *governance* easily disappears in the host of networks, partnerships and more (Pierre, 2000, p. 21; Pierre and Peters, 2000, pp. 24-5). Pierre and Peters (2000) point out the state as still being the center of considerable political power.

In view of the above, three different kinds of displacement of state power and control could be distinguished (Pierre and Peters, 2000): “*upward, towards international actors and organizations; downward, towards regions cities and communities; and outward, to institutions operating under considerable discretion from the state*” (Ibid, p. 77). On one hand, the public require the government to somewhat control the process and outcomes of governing, and at the same time, they seem to withstand power from government (Pierre and Peters, 2000, p. 49).

In Sweden, during the 1980s and 1990s, new models of governing and control emerged as a result of the budgetary crisis, and reassessment and deregulation of public commitments (Pierre and Sundström, 2009, pp. 8-9; Montin and Hedlund, 2009, pp. 14-5, 32, 42). The notion of *governance* found its way into politics in the following decade of 2000 (Ibid). However, it indicates diminishing regulations and blurred boundaries, amongst others, between the private and the public sector, making it challenging for politics to clearly delimit the different activities, and define unambiguous and established goals and objectives for such. In this view, it is important to underline the role of the *government* - displaced from top-down to bottom-up, supporting the citizens to take an active part in the decision-making process, instead of setting rigid goals and directives (Pierre and Sundström, 2009, pp. 17-8).

The decentralised interactive governing known as ‘governance’ is not recent and unfamiliar in the context of Sweden and has existed for a long time (Montin and Hedlund, 2009, pp. 8, 23; Pierre and Sundström, 2009, p. 247), and yet the role of the political institutions ‘government’ in the process of governing ‘governance’ has changed (Pierre and Sundström, 2009, p. 246; Montin and Hedlund, 2009, p. 15).

In this complexity, it is difficult for only one actor to govern, evoking the need for searching governance models that incorporate both the public and the private boundaries (Pierre and Sundström, 2009, p. 249).

As a consequence, the term *governance* implies that *government* is determined by other actors as well, in order to be able to develop and perform the political objectives, and hence making coordination and cooperation between the state and other actors crucial (Pierre and Sundström, 2009, p. 250).

Jon Pierre in Montin and Hedlund (2009) criticise the ‘governance concept’ considered as being new. This, according to Pierre, is a myth (Pierre, 2009, p. 40). He emphasizes that the term *governance* is not new and is probably as old as *government*. Different methods of collaboration between the public and the private sector have

existed for a long time, although the term *governance* started to be used broadly since the establishment of the European Union's structural funds (Pierre, 2009, p. 38).

Another criticism towards the notion of 'governance' points at the decision-making by the private sector and civil society, which could 'violate democratic principles of representation, legitimacy, and reliability' (Nuisl and Heinrichs, 2011, p. 51). As has been pointed out by Nuisl and Heinrichs (2011, p. 51) when it comes to spatial planning:

*"... participatory negotiation of planning issues alone does not automatically lead to fair and legitimate solutions. (...) communicative and participatory planning activities are successful only when they are supported by legal power of plans or other regulatory means of planning drawn up by the public sector."*

Similarly, assumptions concerning *governance*, referred to involvement of different actors in the decision-making process that could reduce potential opponents to a future decision, could not automatically lead to more efficient decision-making, becoming more expensive rather than rational and efficient (Ibid).

## 3.2 | The Concept of Governance: As a Tool in Spatial Planning

Nuissl and Heinrichs (2011), in discussing the potential implications of governance in planning, argue that many ideas in the concept of *governance* are not new to planning, such as inclusive policy mechanism, and denying the idea of the state as being the only decision-making agency, further supporting the fundamental criticism of the *governance* concept as not being new (pp.47, 50-1).

In accordance with Nuissl and Heinrichs (2011), spatial planning as the process of decision-making in a society on the land-use, has many elements of *governance*, and therefore the theory and practice of it, is strongly linked to the *governance* discourse (p. 47). By pinpointing how the planning issues are defined, the *governance* concept helps discover the concealed power of spatial planning, as well as disclosing misinterpretation and conflicts due to different points of view of actors in the planning process (Nuissl and Heinrichs, p. 52).

In their article “*Fresh Wind or Hot Air – Does the Governance Discourse Have Something to Offer to Spatial Planning?*”, Henning Nuissl and Dirk Heinrichs (2011) stress that governance, and particularly spatial planning, deal with distinguishing challenges to which society and policy have to respond. Accordingly, they emphasise the role of spatial planners in restraining the process of outlining the spatial planning issues as a significant source of influence and power. They can guide the discussion ‘by the virtue of their professional authority’ (Nuissl and Heinrichs, 2011, p. 52).

A *governance* perspective in analysing the planning practise takes the institutional framework, as well as the issues arising amidst the various levels of government, into consideration. On the other hand, it promotes a broad analytical focus, not bound to an overly narrow specific mode of planning theory (Nuissl and Heinrichs, 2011, p. 53).

In view of the above, the *governance* concept could be used to study which governing discourse the SEC concerns and how the regulations for the areas of national interest function in the process of spatial planning, with specific focus on the process of detailed development planning. It should be underlined here that the regulations for the areas of national interest are covered by the SEC, although the regulations in planning are to be considered vis-à-vis other interests according to the PBA (2010:900).

However, it should be stressed here that the focus in this thesis is on the SEC and the latter does not cover the aims of this study.

In order to gain an insight into the changing character of the planning processes, Nuissl and Heinrichs suggest four generic categories of governance-oriented empirical analysis comprised of: *actors; relationships; the institutional framework; and the decision-making process*. Nuissl and Heinrichs' (2011) empirical analysis-categories are used as a basis to approach the analysis for this thesis. The empirical data is examined through Nuissl and Heinrichs' (2011) *four generic categories of governance-oriented empirical analysis* as presented below.

### **3.2.1 Operationalisation of the Four Generic Categories of Governance-Oriented Empirical Analysis**

In this thesis, the aforementioned empirical analysis categories will be used as tools for analysing the planning processes during the process of detailed development planning (*see section 4.1.3 Analysis of Data, p. 50*). Important to note here is that the empirical analysis-categories are to some extent interrelated and so examining all the categories simultaneously is important to fulfil the aim of this thesis.

Below follows a detailed description of the empirical analysis-categories (Nuissl and Heinrichs, 2011):

#### **3.2.1.1 Actors**

Through identifying the actors, it becomes clear which actors - individual or collective - take an active part in the planning process, and which do not. Subsequently, it is also important to examine not only their roles, interests, power resources and financial means, but also what social capital and knowledge the identified actors have (Nuissl and Heinrichs, 2011, p. 53).

In the process of detailed development planning in the case studies, this primarily concerns examining the role of the government comprising mainly the CAB and municipality, the private actor(s), and other concerned and interest individuals and parties. By studying the actors, the analysis intends to distinguish between the different actors involved in the planning process and their significance.

### 3.2.1.2 Relationships

In order to understand the direction of the planning process, looking at the relationships is vital. The different actors could form coalitions or oppositions depending on their converging or conflicting interests. Likewise, the actors could interact vertically - defined by the responsibilities or the different tiers of administrative system; or horizontally - through different networks, i.e. non-governmental organizations. This is important for the nature of relationships between them (Nuisl and Heinrichs, 2011, p. 54).

When it comes to the process of detailed development planning, the relationship between the different actors involved is of utmost importance to the outcome of the process. The relationship between the different actors will be analysed, digging deeper into how they are organised and hence identify the possible conflicts or cooperation between the different involved actors, and thereby the possible conflicts in the process of planning.

### 3.2.1.3 Institutional Framework

One can distinguish between formal and informal institutions. Institutional framework refers to institutions that prevail in the respective societal and political context, which affect the actors' decisions and similarly, their course of action. Formal institutions consist of *“codified and embrace laws, regulations, ordinances, plans, and other constitutional mechanisms of public control – including the legal provision for citizen participation as well as temporary policy programs”* (Nuisl and Heinrichs, 2011, p. 54).

Informal institutions exist because *“members of a certain society are aware of them (...). The cognitive referents of actors to a large extent reflect these informal institutions which are produced and reproduced in the recurrent interaction of people.”* (Ibid). Both formal and informal institutions affect the expectations of the individuals (Ibid).

The formal institutions in the case studies comprise of official documents such as: pronouncements, and chap. 4 of the SEC, to name a few. The interviews with the municipal planners contributed to identifying more informal reasons behind the decisions in the planning processes, which are otherwise difficult to distinguish from the official documents.

### 3.2.1.4 The Decision-Making Process

It is important to underline the laws and regulations in reality in order to be able to study the extent to which the various actors have managed to balance their interest, and thereby to study the decision-making process. It is vital to also understand the mechanisms of social interaction through which activities are coordinated and conflicts are resolved, both horizontally between the authorities and representatives, and vertically between the various tiers of state administration.

Moreover, how data and information is dealt with in the process of spatial planning, relates particularly to how the actors have communicated with each other and hence which actors have taken part in the planning process and which have not. This is important, since different planning processes involve different actors and institutions (Nuisl and Heinrichs, 2011, pp. 53-4).

Examining the formal decision-making process in the process of detailed development planning in the case studies should reveal the results of the process and therefore, to what extent the regulations have affected the decision-making process.

The aim of analysing the formal decision-making process is to find out how the different actors balance their interests, and if their interests have been affected by the rules and regulations. It is in this view the SEC is primarily associated.



## 4. | METHOD



*“I had to live in the desert before I could understand the full value of grass in a green ditch.”*

*- Ella Maillart*

This chapter presents in detail how the study is conducted. In the beginning, the choice of the qualitative research will be discussed. Thereafter, it will be explained how the data was gathered, and, how it was analysed. After that, the choice of the qualitative research interview will be introduced, followed by the limitations of thesis and, finally, a critical look at the sources.

## 4.1 | Case Study Research Method

The case study research has been used in order to profoundly study the interpretation and implementation of regulations for the areas of national interest in planning processes.

A case study is an empirical investigation that “investigates a contemporary phenomenon in depth and within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident” (Yin, 2009, p. 18). A case study research could be a single-case design or a multiple-case design. When a study has more than one cases, it has used a multiple-case design (Yin, 2009, p. 53).

### 4.1.1 Multiple-Case Design

A multiple-case design has been used to approach the empirical data. The case study approach is the most suitable for this study because the thesis questions are more explanatory such as; how does; in what way; how could (Yin, 2009, p. 9). Case studies focus on relationships and processes, since they are interested in explaining why things occurred (Denscombe, 2014, p.77). The case study approach investigates a phenomenon in depth and within its context (Yin, 2009, p. 18; Denscombe, 2014, p. 77).

A multiple-case design takes a holistic view of what is going on, rather than dealing with isolated factors. It views the case in its entity and could therefore discover how the many parts affect one another (Denscombe, 2014, pp. 78-9). The essence of a case study is that it tries to illuminate “a decision or a set of decisions: why they were taken, how they were implemented, and with what results” (Schramm 1971, referred in Yin, 2009, p. 17), but it can also include individuals, processes and institutions (Yin, 2009, p. 17). Both qualitative or quantitative evidence can be used in a multiple-case design (Ibid).

#### *Advantages and Disadvantages*

A distinct advantage of a multiple-case design is that the evidence from multiple-cases is often considered more compelling and therefore regarded as more robust (Herriot & Firestone 1983 in Yin, 2009, p. 53).

A multiple-case design also benefits from focusing on particular instances and facilitates the use of multiple methods (Denscombe, 2014, p. 86). Furthermore, the case study approach could make use of naturally occurring settings with no necessity to impose controls or implement changes to key factors and variables (Ibid).

Just as any other method, multiple-case design have their limitations. It can require extensive resources and time and therefore the decision to attempt a multiple-case design cannot be taken lightly (Yin, 2009, p. 53).

The case study approach is criticized for its credibility of generalisations made from its findings (Walliman, 2006, p. 40; Yin, 2009, p. 54), but also for its difficulties in terms of deciding which sources of data to incorporate and which to exclude in the case study (Denscombe, 2014, p. 86).

#### **4.1.1.1 Qualitative Content Analysis**

Qualitative content analysis is the most common approach to qualitative analysis of documents that intends to search out underlying themes in materials being analysed (Bryman, 2004, p. 392). Qualitative content analysis can disclose many hidden aspects of what is being communicated through text (Denscombe, 2014, p. 317).

A researcher does not need to base the analysis on what the author thought that they were saying (Gerbner et al. 1969; Krippendorff 2013, referred in Denscombe, 2014, p. 371). The object of the qualitative content analysis can be literary texts, observation notes, documentary films, historical records, written documents etc. (Bryman & Burgess, 1994, p. 176; Walliman, 2006, p. 47).

When it comes to any data, judgements must be made about their reliability (Walliman, 2006, p. 47). A qualitative content analysis reveals what the text establishes as relevant by measuring particular relevant words, ideas etc., but also in what order and how frequently they occur (Denscombe, 2014, p. 318). Qualitative content analysis is basically about detection, and the task of defining, exploring and mapping are fundamental to the analyst's role (Bryman & Burgess, 1994, p. 176).

### *Advantages and Disadvantages*

One strength of the qualitative content analysis is that it could provide a medium for quantifying the context of a text through a method that is clear and repeatable by other researchers. It can further reveal what the text establishes as relevant by measuring for example particular relevant word, ideas etc. (Denscombe, 2014, p. 318). Additionally, a qualitative content analysis makes the analytical process, and interpretations derived from it accessible to others (Bryman & Burgess, 1994, p. 177).

A criticism towards qualitative data is that they cannot be accurately measured and counted. Words and how they relate to each other are far less precise than numbers. This makes them susceptible to varied interpretations and valuation (Walliman, 2006, p. 47).

Another limitation of the qualitative content analysis is that it has a tendency to dislocate the meanings from the context in which they were made. It could instead become a crude instrument for dealing with subtle ways in which a text conveys meaning (Denscombe, 2014, p. 317).

#### **4.1.1.2 Approach**

A qualitative content analysis has been used to analyse questions 1, 2 and 3 in this thesis in order to gain an in-depth understanding of each case, which is essential in this study. Each case needs to be studied thoroughly to be able to analyse how the regulations in chap. 4, §§1-4 of the SEC are managed and thereby administered throughout the process of planning.

Case studies make it possible to analyse the areas of national interest in a complex context characterised by different processes and actors, and different relationships between the actors, making a case study design most suitable. The case study approach works well here since it takes a holistic view on the planning process and views it in its entirety, helping to discover how the different actors and their interpretation of the regulations affect the planning and the decision-making process.

In the analysis, two cases are separately analysed within their context. Qualitative content analysis seems to be a relevant method for this thesis since it allows taking into account the context in which the data was collected. At the same time, it helps identify the qualitative points in the data to be able to analyse how they relate to each other. In the cases, it would discern how different terms i.e. *significant damage, outdoor recreation, development of existing urban areas*, to name a few, are interpreted by the different actors in a planning process. In this analysis, the qualitative points in the case studies mainly concern the actors and their relationship with each other, with a focus on how their interpretation of the regulations according to chap. 4, §§1-4 of the SEC affect the planning process and thereby the decision-making.

#### 4.1.1.2.1 Data and Selection

In the multiple-case design, the selection of the cases have been based upon the research questions of this thesis, making the case studies benchmarked. The research questions have been used as criteria to define the selection of cases. These concern areas of national interest in Bohuslän according to chap. 4, §§1-4 of the SEC. Similarly, the coastal areas and archipelagoes of Bohuslän have been included in the study. Along the coasts of Bohuslän, twelve municipalities are covered by the mentioned Act.

Västra Götaland County Administrative Board (VG CAB), initially, and all the twelve municipalities were contacted by telephone and e-mail. The question asked was:

- *Does the County/Municipality have detailed development plans that have been questionable - by one or more of the involved actors during the planning process - against at least one of the regulations in accordance with chap. 4, §§1-4 of the SEC;*
- *and/or plans covered by at least of the regulations in accordance with chap. 4 §§1-4 of the SEC that have been questionable in light of the regulations as considered in the Municipality's comprehensive plan?*

The contact persons in the VG CAB provided the study with relevant references concerning the areas of national interest in Bohuslän and referred to the responsible Plan Administrator(s) for each municipality in the county for the specific information. In some cases, some of the municipalities replied. Hence, the number of cases, and the

amount of data provided by the VG CAB and the Municipalities differ (see *Table 1*, p.49).

After a closer review of the cases, most of the detailed development plans were not considered in the study as they were questionable due to causes other than the above, or because the plans were in ongoing planning process. The plans in an ongoing process are not included in the study because the aims of this thesis are to investigate the detailed development planning process, the outcome of the planning process, and the formal decision-making process. The omitted plans were either in the early stages of the planning process, or a formal decision on whether to adopt or annul the plans in view of the chap. 4 regulations had not yet been taken. As a result, the plans in ongoing planning process were not included in the study.

Any plans that were adopted, annulled, or adopted and then examined, means that they were reviewed and the arguments which have been conclusive for the outcome during the whole planning process are available. As summarized in *Table 1* (p. 49), two of a total of seven suggested cases were *not* in an ongoing planning process and one or more of the involved actors during the planning process found it ambiguous whether or not the detailed development plans adhered to the regulations in regard to the areas of national interest according to chap. 4, §§1-4 of the SEC, and the guidelines in the municipal comprehensive plan.

As a result, it was only possible to analyse two detailed development plans for the multiple-case design. Formal decisions had been made on both the plans and the plans had been adopted in both cases.

*The two analysed cases are:*

*Uddevalla Municipality: Detailed development plan for Å 1:20*

- Covered by chap. 4, §§1 and 4 of the SEC: lies in the highly developed coast of Bohuslän;
- Covered by 2010 municipal comprehensive plan: questionable against the guidelines in the comprehensive plan;
- Aim: to build approximately twenty single-family dwellings.

*Sotenäs Municipality: Detailed development plan for Ödby 1:2*

- Covered by chap. 4, §§1, 2 and 3 of the SEC: lies in the unbroken coast of Bohuslän. The planned development does not concern §3;
- Covered by 2004 and 2010 municipal comprehensive plans: questionable against the guidelines in the comprehensive plan;
- Aim: to build a tourist facility, holiday homes, rental and camping cottages, amongst others.

It is worth mentioning that there may be other plans that could have been included in the study, for example plans that were annulled due to chap. 4 regulations during the formal decision-making process, or plans that were adopted but then appealed due to chap. 4 regulations. Unfortunately, these are difficult to find due to an absence of statistics over plans that are deemed questionable against chap. 4, §§1-4 of the SEC.

See the selection of the cases in *Table 1* in the following page.



<i>Municipalities: • covered by chap. 4, 1-4§§ of the SEC</i>	<i>Detailed Development Plans: • questionable whether they adhered to chap. 4, §§ 1-4 of the SEC; or the guidelines regarding chap. 4 in the comprehensive plan</i>	<i>Loss of data: Hesitant to other factors than: • chap. 4, §§1-4 of the SEC • in an ongoing process</i>	<i>Detailed Development Plans included in the multiple-case design</i>
Gothenburg (partly)	0	0	0
Kungälv	0	0	0
Lysekil	2	2	0
Munkedal (partly)	1	1	0
Orust	No answer	-	-
Sotenäs	1	-	1
Stenungsund	No answer	-	-
Strömstad	2	2	0
Tanum	No answer	-	-
Tjörn	0	0	0
Uddevalla	1	-	1
Öckerö	0	0	0

Table 1: Selection of Cases

### 4.1.3 Analysis of Data

The following official documents have been included in the analysis:

- Plan proposal;
- Program period: VG CAB's review statement over the program period; Municipality's report for the program period;
- Review period: VG CAB's review statement over the review period: Municipality's consultation report;
- Exhibition period: VG CAB's review statement over the exhibition period: Municipality's report for the exhibition period;
- Municipality's decision to adopt the plan;
- VG CAB's decision to examine / not examine the plan.

In addition to the documents above, other relevant official documents, such as appeals and plan programs, have been used in the analysis depending on each case study.

Open coding has been used in the analytical process of the thesis (Strauss and Corbin, 1998). Open coding is defined as an analytical process by means of which concepts are identified and their properties and dimensions are discovered (Strauss and Corbin, 1998, p. 101). It helps categorize the phenomena through close examination of the data. During open coding the data are broken down into distinct parts, similarities and differences are compared, after which questions are asked about the phenomenon embedded in the data (Bryman, 2008, pp. 514-5).

The open coding in the analytical process of this thesis are performed based on the four generic categories of governance-oriented empirical analysis as detailed in section 3.2.1 *Operationalisation of the Four Generic Categories of Governance-Oriented Empirical Analysis* (p. 38). These are:

- *actors;*
- *institutional framework;*
- *relationships;*
- *the decision-making process.*

To dig deeper into each category, questions that could answer the aims of the thesis have been formulated. The categories are rearranged into three parts where the categories actors and relationships have been merged since the content in these overlapped each-other to some extent :

1. actors and relationships;
2. institutional framework;
3. the decision-making process.

#### **4.1.3.1 Open Coding**

##### *1. Actors and Relationships*

*Actors:*

- Which actors have taken part in the process of planning?
- What are the actors' roles?

*Relationships:*

- Which actors have made pronouncements during the planning process and in what way does the Municipality respond to them?
- How have the regulations according to chap. 4, §§1-4 of the SEC been interpreted by the different actors in the planning process?
- How has the relationship between the Municipality and the VG CAB worked throughout the planning process?

- How have the guidelines in the municipal comprehensive plan for the areas of national interest concerning regulations in chap. 4 of the SEC been considered in the process of detailed development planning?

### *2. Institutional framework*

- Which regulations in chapter 4, §§1-4 of the SEC does the plan area cover?
- Which specific terms in the regulations, i.e. *significant damage; outdoor recreation; outdoor recreational activities; complementary to existing buildings*; and other terms depending on the context, have been primarily discussed in the cases and how?

### *3. The decision-making process*

- How does the formal decision-making process worked in practise?
- How have the regulations in chap. 4 §§1-2 of the SEC affected the decision-making process?

## 4.2 | Semi-Structured Interviews

Semi-structured interviews are suitable if the aim is to ask open ended questions and thereby explore individual experiences and opinions regarding the researched phenomenon (Kvale, 1997, p. 82). Semi-structured interview contains structured and unstructured sections with open-format questions, and are commonly associated with qualitative research and approaches (Denscombe, 2014, p. 216; Walliman, 2006, p. 76).

In a semi-structured interview, the interviewee is let to develop ideas and speak more widely on the issue raised by the researcher, while the interviewer is prepared to be flexible in terms of the order in which the topics are discussed (Denscombe, 2014, p. 216). In a semi-structured interview, it is likely for the interview questions to develop and change through the course of the interview (Kvale, 1997, p. 83). Interviews can be audio-recorded to retain a full, uninterpreted record of what was said which then has to be transcribed (Walliman, 2006, p. 77).

A main advantage of semi-structured interview is its flexibility which allows adjustments to the lines of inquiry during the interview itself. However, it is hard to achieve consistency with a semi-structured interview, and the data collected are to some extent affected by the specific context and the specific person involved (Denscombe, 2014, p. 232).

### 4.2.1 Approach

In order to approach the aim of this thesis from the point of view of a municipal planner, and to critically discuss their role in the planning process, semi-structured interviews seem to be a suitable method. Semi-structured interviews allow asking open ended questions and exploring the municipal planners' point of view regarding the researched phenomenon.

For the aim of the thesis, one municipal planner in each case, who had been part of the original planning process, was interviewed. The interviewees were approached through e-mail. Both the interviews were conducted in Swedish and were audio-recorded. The interviews were conducted in Uddevalla and in Sotenäs and each interview took between 50-60 minutes. The conducted interviews were transcribed and are used as quotes in this thesis.

The interview transcriptions were then emailed to the interviewees.

In the analysis, the quotes from the interviewees have been used where relevant and most suitable to complement the analysis according to the multiple-case design and the results. In the discussion part, mainly on the role of a municipal planner (*aim c/thesis question 4*), the interviews formed a material for discussions. The interviews are attached as appendices to this thesis.

### 4.3 | Limitations

This thesis focuses on the regulations for the areas of national interest in accordance with chap. 4, §§1-4 of the SEC. The analysis was geographically delimited to the county of Bohuslän, which according to the regulations in chap. 4 is delimited from the Norwegian border to Kattegat (*see figure 1, p. 25*).

The criterion for defining the detailed development plans were that:

- the detailed development plans are covered by at least one of the regulations in accordance with chap. 4, §§1-4 of the SEC;
- it is ambiguous whether the detailed development plans adhered to the regulations in regard to the areas of national interest according to chap. 4, §§1-4 of the SEC and/or the guidelines in the municipal comprehensive plan;
- the plans are adopted; adopted and re-examined/appealed; annulled due to at least one of the regulations in chap. 4 of the SEC.

None of the detailed development plans which fulfilled the criterion above, concerned §3 of the SEC, and so this section is not referred to in the analysis.

This thesis focuses on the official documents mentioned in section *4.1.3 Analysis of Data*, therefore, any additional documents referred to in the official documents are not studied. The empirical case studies are defined in section *4.1.3 Analysis of Data*.

The Planning and Building Act (SFS 2010:600) regulates for example:

- how to draw up a detailed development plan;
- the detailed development planning process: the working process for the detailed development plan.

The Act also aims to examine if the plan proposal for land-use is appropriate.

Below follows a simplified illustration of the detailed development planning process according to Boverket's (2016) description of the process, and the official documents used during the different stages that have been analysed in the two cases studies in this study.

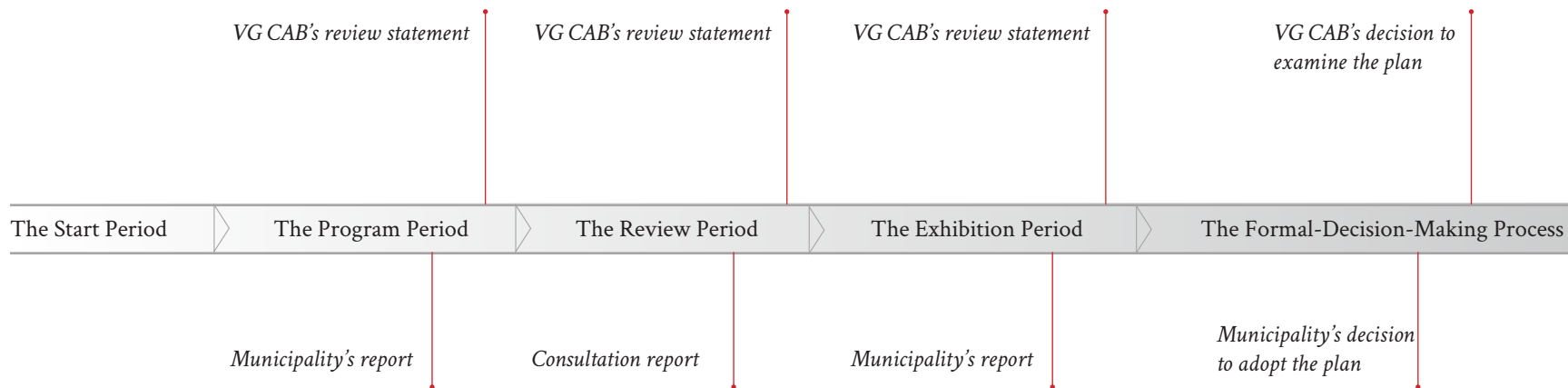


Figure 3: Simplified Illustration of a Detailed Development Planning Process and the Analysed Official Documents During the Different Stages of Planning in this Study.

## 4.4 | A Critical Look at the Sources

Official plan documents and papers used in the planning process have been used in the analysis. These documents are produced by the different tiers in the government, such as the CAB and the municipality. The involvement of several governmental actors behind producing the documents limits the amount of potential mistakes that could be made. These official documents are available for the public.

On the other hand, official plan documents used during the planning process follow a specific structure according to the PBA, which could be compared with official plan documents used in other planning processes. The analysis of the aims of this thesis is therefore based on these documents.

However, these documents are accompanied by interviews with the responsible municipal planner during the planning process in each analysed case, in order to expose the underlying reasons behind the arguments and decisions in the process of planning.



## 5. ANALYSIS



*“There are 360 degrees, so why stick to one?”*

*- Zaha Hadid*

This chapter presents the results from the empirical content analysis and the semi-structured interviews.

Sections *5.1 Case A: Uddevalla Municipality (Å 1:20)* and *5.2 Case B: Sotenäs Municipality (Ödby 1:2)* present the results of the analysis of the empirical data complemented by quotes from the interviewees.

The cases are analysed in accordance with the open coding as presented in section *4.1.3 Analysis of Data*. The municipal comprehensive plan(s) in regard to the areas of national interest according to chap. 4 of the SEC is presented in the beginning of each case in order to be able to follow and reflect upon the discussions in the analysed official documents.

In *section 5.3* the results from the analysis is discussed from a theoretical point of view as presented in *Chapter 3* in order of the empirical analysis categories:

- *actors;*
- *relationships;*
- *institutional framework;*
- *and the decision-making process.*

## 5.1 | Case A: Uddevalla Municipality (Å 1:20)

### 5.1.1 Comprehensive Plan and the Areas of National Interest

*The text in the following analysis of the comprehensive plan for Uddevalla Municipality, in regards to the regulations for the areas of national interest according to chap. 4 of the SEC, is to some extent summarised or used comprehensively as stated in the comprehensive plan in order to avoid any misinterpretation of it.*

The plan area (Å 1:20 - Case A) is covered by the municipal comprehensive plan adopted in 2010. The Municipality articulate that they entirely support the regulations for the areas of national interest according to chap. 4 of the SEC (Uddevalla, 2010, p. 32). As discussed under “*The Coastal Zones*”<sup>4</sup>, the Municipality takes the following stance on chap. 4 of the SEC (Uddevalla 2010, p. 33):

The coastal zone can be suitable for new settlements if:

- knowledge and carefulness are prerequisites for design, placement, and colouring;
- natural and cultural assets are taken into consideration, as referred to in “*Recommendations and Consequences, Population and Inhabitants*”<sup>5</sup>;
- the Municipality always performs an assessment on how the areas of national interest could be affected by the proposed development;
- the Municipality takes the responsibility for ensuring that the areas of national interest are not damaged;
- the Municipality carefully plans – an essential prerequisite to protect the areas of national interest.

The coastal zone is considered as an area of national interest according to chap. 4 of the SEC (Uddevalla, 2010, p. 77). The plan area (Å 1:20 - Case A) forms part of “*Fräknestranden*” which constitutes part of the “*green corridor*”<sup>6</sup> - an area which should be preserved. Fräknestranden is part of coastal zone and is described as very attractive for year-round residential areas in the form of holiday homes and for new settlements. The Municipality had already planned to construct water and sewerage pipes through the area (Uddevalla, 2010, pp. 72-3).

<sup>4</sup>Author's own translation.

<sup>5</sup>Author's own translation.

<sup>6</sup>Author's own translation.

The main aims established for the area of Fräknestranden are:

- to preserve the characteristics of the area;
- to facilitate appropriate complementary dwellings;
- to preserve the “*green corridor*” for recreational purposes (*NB: Plan area Å 1:20 is a part of the “green corridor”*);
- to connect all new settlement areas to the municipal water and sewerage networks (Ibid).

The Municipality, in their recommendations (2010, pp. 76-7) assert that complementary development could in certain cases be arranged within the coastal zone of *Fräknestranden* if the following is specially considered:

- approved water and sewerage pipes;
- *the natural and cultural assets of the areas of national interest*;
- development in the coastal zone only if complementary to existing residential areas.

Similarly, the Municipality conclude that the areas of national interest are not significantly damaged, *if* in addition to the aforementioned, *valuable nature and outdoor recreation is not limited, and cultural assets are not damaged* (Ibid).

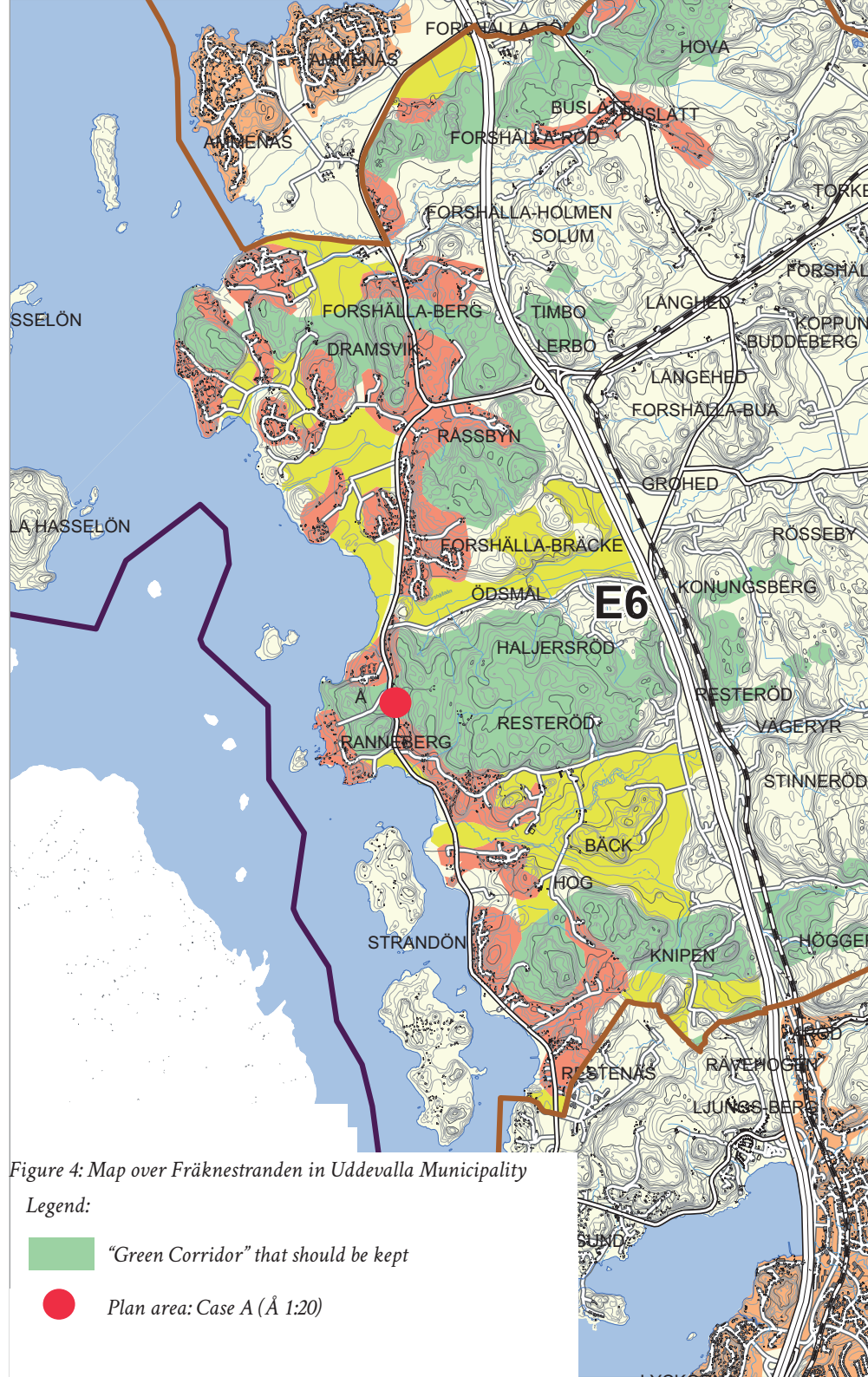


Figure 4: Map over Fräknestranden in Uddevalla Municipality

Legend:

- "Green Corridor" that should be kept
- Plan area: Case A (Å 1:20)

## 5.1.2 Case Overview

*"We civil servants, we were opponents to this plan! We, as administration, cannot repeatedly stand against the politicians' decisions!"*

*– Planner A (Interview 2017)*

Uddevalla Municipality was planning to build municipal water and sewerage pipes between Uddevalla and Ljungskile. According to the planning for housing strategy detailed in the municipal comprehensive plan, diverse housing should be built in attractive and decent living environments from a sustainability point of view.

Uddevalla Municipality detailed development plan (Å 1:20) complied with the 2010 comprehensive plan to make sure that the proposed coastal location should meet the criterion to offer attractive housing (Uddevalla, 2015b, p. 3). The detailed development plan facilitated building approximately twenty one single-family dwellings on redeemed plots, along with a new road leading to the existing and planned housing (Uddevalla, 2015b, p. 3). Uddevalla Vatten AB (Västvatten) was also planning to install a water cistern approximately 150 meters from the plan area. Together with the existing housing, this would take place at the same time as the new road construction (Uddevalla, 2015b, p. 4).

The area covers about four hectares of land owned by *Åh Stifts- och konferensgård*. The plan area is located in the coastal zone covered by the regulations for the areas of national interest for natural and cultural assets according to chap. 4 of the SEC. The plan area is located in *Fräknestranden* and is partly covered by the "*green corridor*" that should be preserved, as stipulated in the municipal comprehensive plan (Uddevalla, 2015B, p. 4).

VG CAB did not believe that the plan area would significantly damage the SEC areas of national interest if the plan was adapted to the Board's opinions. The Board noted that the plan area is covered by the area of national interest for the highly developed coast according to chapter 4, §§1 and 4 of the SEC (Uddevalla, 2015b, p. 5).

***The following are parts of the regulations according to chap. 4 of the SEC relevant to the case:***

***§1 Natural and cultural asset; significant damage*** “... Development projects or other environmental interventions (...) can be implemented in a manner that does not significantly damage the natural and cultural assets of these areas.

*The provisions of the first paragraph and sections 2 to 6 shall not be an obstacle to the development of existing urban areas or local industry (...)*”

***§4 Complement to existing buildings*** “(...) permanent recreation accommodation may only be built as a complement to existing buildings. (...)”

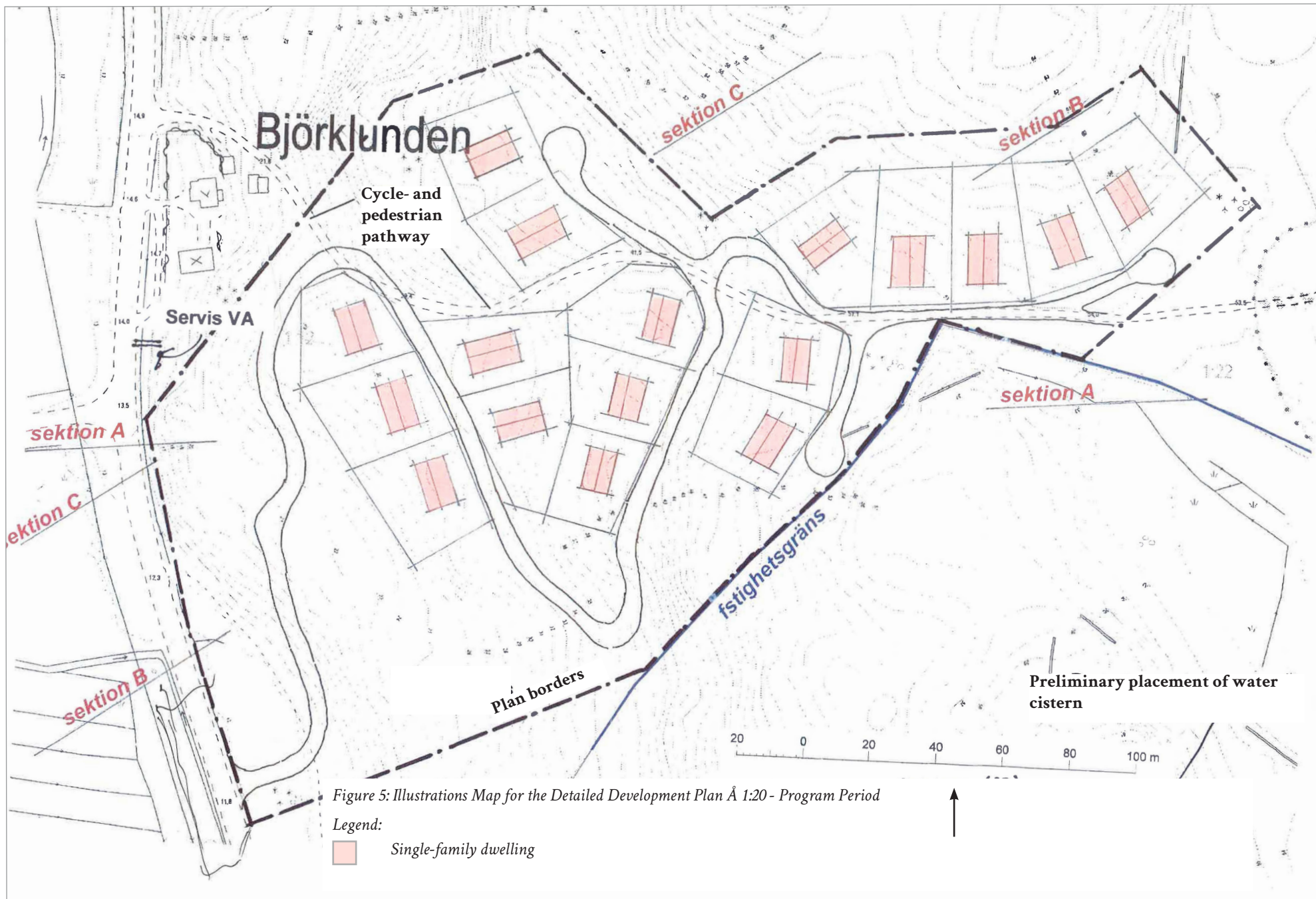


Figure 5: Illustrations Map for the Detailed Development Plan Å 1:20 - Program Period



## 5.1.3 Analysis

### 5.1.3.1 Actors and Relationships

*“There were several driving forces behind this plan. One driving force was the landlord who wants to earn money by selling villa plots. Another driving force was the Municipality – the majority in this case wanted to generate new villa plots. There was possibly a third driving force, and it is that the Municipality had built water and sewerage pipes close to the area and wanted more subscribers for it.”*

*- Planner A (Interview 2017)*

#### 5.1.3.1.1 Actors

- *Åh Stiftsgård*: land developer; landlord;
- *Håkan Björkman Arkitektbyrå (HBA) and Christer Nordström Arkitektkontor (CNA)* - private consultants: drew up the plan documents;
- *Uddevalla vatten AB/Västvatten*: constructor for the road and the water and sewerage pipes;
- *Uddevalla Municipality*: (*municipal planner(s)*) dealt with the plan proposal; drew up reports during the program period, the review period, and the exhibition period;
- *VG CAB*: made pronouncements during the program period, the review period, and the exhibition period;
- *Uddevalla Municipal Council*: adopted the detailed development plan.

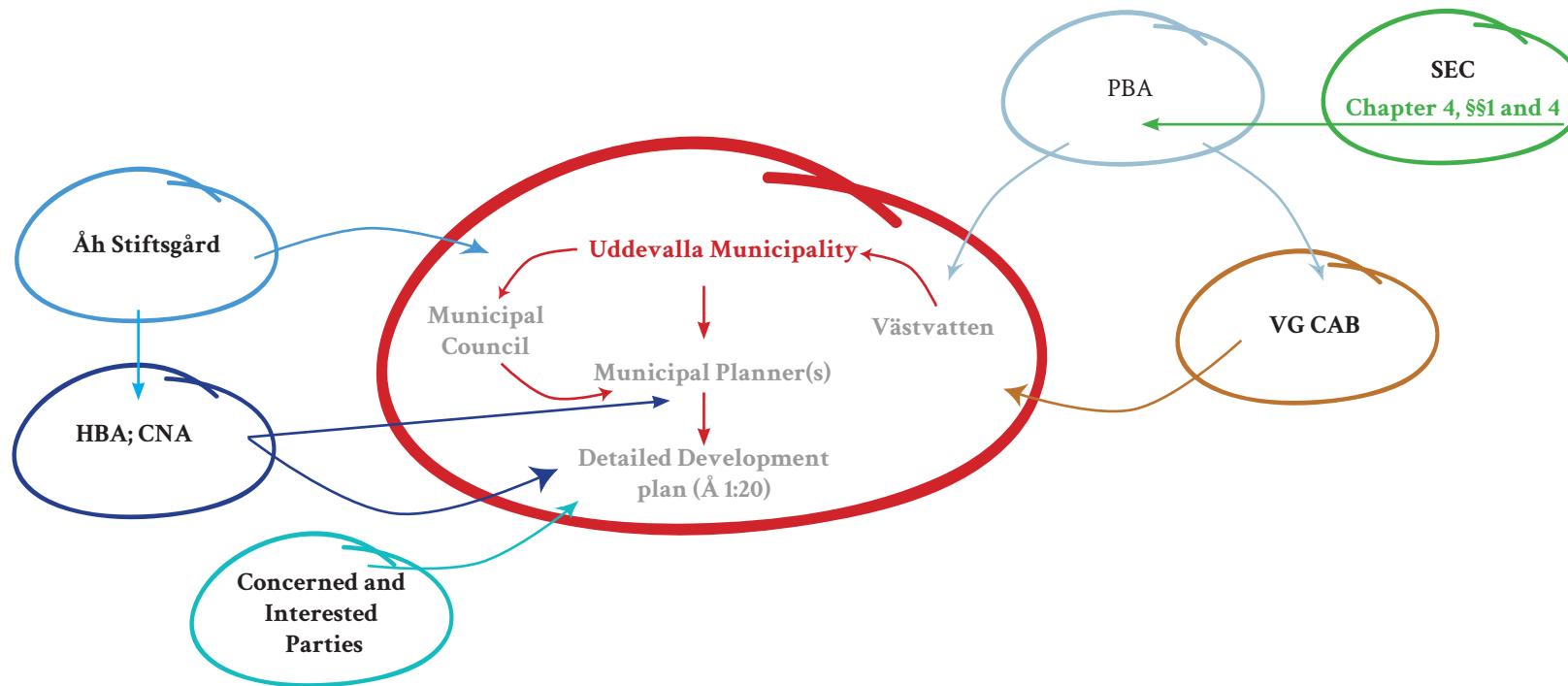


Figure 6: Illustration of the different actors (Section 5.1.3.1.1) in the detailed development planning process for Å 1:20

### 5.1.3.1.2 Pronouncement: Program Period (January 2012 – August 2012)

#### 5.1.3.1.2.1

<sup>a/b</sup> = Points in question during the different planning stages

<sup>a</sup> Municipal Comprehensive plan

<sup>b</sup> Natural and Cultural Assets - landscape picture

**VG CAB** questioned the appropriateness of the planned development in view of the regulations for the areas of national interest according to chap. 4 of the SEC, and the municipal comprehensive plan.

The Board argued that the plan area is situated in the coastal zone of the area of national interest for natural and cultural assets. Furthermore, the plan area includes “Fräknestranden’s green corridor” as part of the development area which, according to the municipal comprehensive plan, should be preserved. This meant that planned development was *not in line with the Municipality’s comprehensive plan<sup>a</sup>* and its intentions (VG CABa, 2012, p.1).

**Uddevalla Municipality** emphasized that the *regulations in chap. 4 of the SEC shall not be an obstacle to the development of existing urban areas*, and that the Municipality’s stance for areas of national interest according to the SEC were presented in the 2010 municipal comprehensive plan.

Moreover, the settlement areas in the coastal zone *Fräknestranden* could be supplemented with new dwellings, if knowledge and carefulness were prerequisites for design, colouring and placement, and if the natural and cultural assets were widely considered. Hence, “*the green corridor*” as presented in the comprehensive plan, would be largely retained (Uddevalla, 2012, p. 2).

**Planner A (Interview 2017)** “As I have said from the beginning, we as civil servants were against the plan from the start, since *we believed that it goes against the comprehensive plan and the regulations according to chap. 4 of the SEC*. (...) the comprehensive plan is not binding, it is a guidance or presents the Municipality’s aims [for land-use]. Similarly, it is not an offense to go against it. But we believed that it should be followed anyway.”

#### 5.1.3.1.2.2

**VG CAB** stressed *dominant intervention in the landscape picture<sup>b</sup>*, stating that silhouette effects from the neighboring Åh Stiftsgård should be avoided (VG CABa, 2012, p. 2).

**Uddevalla Municipality** made no further comments.

5.1.3.1.2.3

**VG CAB** further underlined the importance of *designing the plan area in a way which does not significantly damage its natural and cultural assets<sup>b</sup>* (VG CABa, 2012, p. 2).

**Uddevalla Municipality** agreed to consider the above in the continued work on the plan. The settlement planning would precede a nature conservation inventory (Uddevalla, 2012, p. 2).

5.1.3.1.2.4

**Environment and Urban Planning Committee** stated that the *areas of national interest<sup>b</sup>* and *the municipal comprehensive plan<sup>a</sup>* should be presented. How and why this should be done is not clarified. The committee also stated that an inventory of natural assets should be undertaken (Uddevalla, 2012, pp. 6-7).

<sup>a</sup>Municipal  
Comprehensive plan

**Uddevalla Municipality** *did not respond to this*, but referred to its comments (*see 5.1.3.1.2.1 and 5.1.3.1.2.3*) on the Board's pronouncements (Uddevalla, 2012, p. 7).

<sup>b</sup>Natural and  
Cultural Assets  
- area of national interest

Other concerned parties argued in favour of preserving the green corridor and the cultural-historical environment. However, the regulations according to chap. 4 of the SEC are not referred to directly.

### 5.1.3.1.3 Pronouncement: Review Period (October 2013 - January 2015)

During the review period, many of the VG CAB's opinions from the program period remained. Some new opinions were added and some previously made pronouncements were further clarified while other concerned and interested parties' pronouncements remained the same.

5.1.3.1.3.1

**VG CAB** noted the aforementioned as well, stating that many of their comments from the previous period remained to be dealt with (VG CABa, 2014, p. 1).

**Uddevalla Municipality** made no further comments.

5.1.3.1.3.2

**VG CAB** reiterated their view that the development should not damage the natural and cultural assets of the area and *stressed the importance of adapting the development to the landscape<sup>b</sup>* (VG CABa, 2014, p. 1).

**Uddevalla Municipality** referred to their previous comment (see 5.1.3.1.2.3), adding that nature conservation inventory had been carried out (Uddevalla, 2015, p. 3).

5.1.3.1.3.3

**VG CAB** in view of the above, requested:

1. the broad reasoning behind the need for dwellings in Uddevalla Municipality;
2. guidelines on the program for the supply of housing; and
3. *an analysis on the localisation of the plan area<sup>b</sup>* (VG CABa, 2014, p. 2).

<sup>a</sup>Municipal  
Comprehensive plan

#### **Uddevalla Municipality**

1. made no comment in response;
2. presented some of the guidelines for supply of housing and remarked that the Environment and Urban Planning Committee are broadly positive to the development – that could be coordinated with the Uddevalla Vatten AB water and sewerage construction;
3. *made no comment in response* (Uddevalla, 2015, pp. 3-4).

<sup>b</sup>Natural and  
Cultural Assets  
- area of national interest

5.1.3.1.3.4

**VG CAB** put forward their opinions on the significance of *setting the plan area in a bigger context<sup>b</sup>* in relation to chap. 4 of the SEC (VG CABa, 2014, p. 2).

**Uddevalla Municipality** reiterated their comment (see 5.1.3.1.2.1) regarding chap. 4 of the SEC (Uddevalla, 2015, p. 4).

5.1.3.1.3.5

**VG CAB** questioned the comprehensive plan asking: *“why is the development acceptable right here [in the proposed area], when the aim from the beginning was obvious not to develop the site as presented in the comprehensive plan<sup>a</sup>?”*

The Board furthermore stated that they are convinced that the Municipality disregarded its planning principles

in the municipal comprehensive plan (VG CABa, 2014, p. 4).

**Uddevalla Municipality** made no further comment.

5.1.3.1.3.6

**VG CAB** felt that the plan proposal was *not keeping in with the municipal comprehensive plan*<sup>a</sup> (VG CABa, 2014, p. 2).

**Uddevalla Municipality** believed it is *not easy for a presumptive developer to anticipate all its needs and thoughts in a process of comprehensive planning*. Infringement upon the preservation of the “green corridor”, as stated by the Municipality, was limited (Uddevalla, 2015, p. 4).

5.1.3.1.3.7

Municipal  
Comprehensive plan<sup>a</sup>

**VG CAB** estimated that almost two-thirds of the “green corridor” would disappear due to the planned development. The Board asked: “What are the consequences? *What is the stance of the comprehensive plan to preserve the green corridor and what is its function?*”<sup>a</sup> (VG CABa, 2014, pp. 2-3).

<sup>b</sup>Natural and  
Cultural Assets

**Uddevalla Municipality** were *unclear* on how and if the Municipality made allowances for the above, except for their view that Uddevalla Municipality *benefited from developing attractive residential areas*, enabling them to respond to the strong appeal of the metropolitan ‘Gothenburg’ region (Uddevalla, 2015, p. 4).

5.1.3.1.3.8

**VG CAB** restated their view on the importance of adapting the development in respect to the natural and cultural assets. The Board clarified that the Municipality described their stance on the areas of national interest according to chap. 4 of the SEC in the comprehensive plan, but *lacked a detailed description of the consequences of the plan proposal on the assets from the point of view of the conditions of the site*<sup>b</sup> (VG CABa, 2014, p. 3).

**Uddevalla Municipality** acknowledged how the plan took into account the aforementioned values respecting the colouring, selection of material, and placement of the buildings (Uddevalla, 2015, p. 5).

*How the plan proposal affected the assets is not discussed*, nor is it apparent how the Municipality considered the program for cultural heritage management.

5.1.3.1.3.9

**VG CAB** reiterated that the risk for possible silhouette effects was to be avoided (*see 5.1.3.1.2.2*), giving rise to a need for a photo montage to be created (VG CABa, 2014, p. 3).

**Uddevalla Municipality** did not consider any possible risk for silhouette effects (Uddevalla 2015, p. 5).

**Planner A (Interview 2017)** “No thorough examination was done.”

Other concerned and interested parties made almost the same pronouncements, although none of them directly concerned the regulations for the areas of national interest according to chap. 4 of the SEC.

#### 5.1.3.1.4 Pronouncement: Exhibition Period (January 2015 - August 2015)

5.1.3.1.4.1

**VG CAB** *did not believe* that the areas of national interest according to the SEC were going to be significantly damaged (VG CABa, 2015, p. 1).

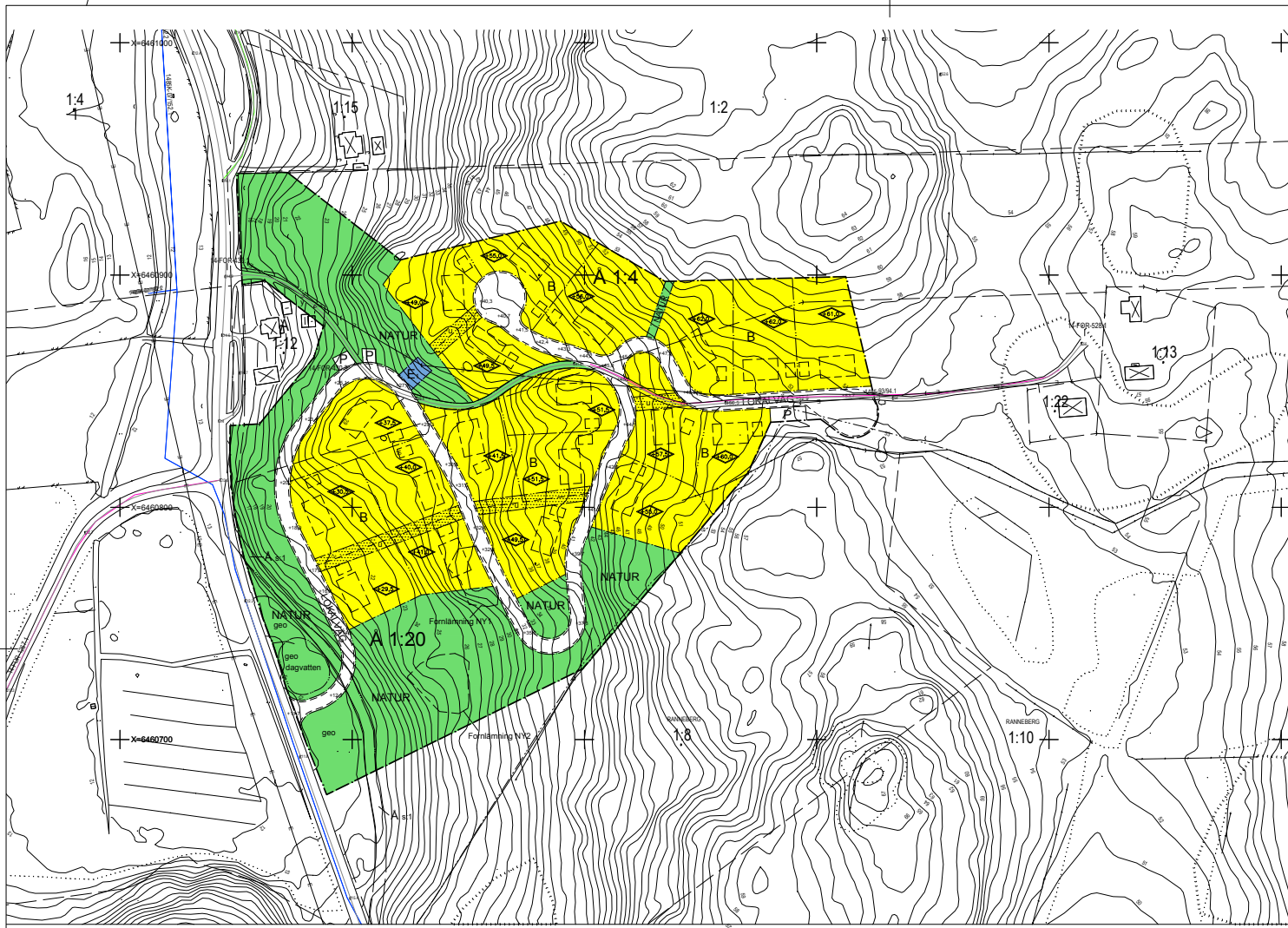
**Planner A (Interview 2017):** “*We were unsure if the County Administrative Board would approve the plan* due to the regulations for the areas of national interest. Therefore, the plan was adjusted and corrected step-by-step. What is important for the municipal politicians is that the County Administrative Board gradually approved the plan, and they [the Board] did that in this case (...) constantly adjusting, and *finally it was adjusted enough to be approved by the County Administrative Board...*”

5.1.3.1.4.2

**VG CAB**, nevertheless, were without the Municipality’s comments on the Board’s opinions during the review period in the final plan report (VG CABa, 2015, p. 2).

**Uddevalla Municipality** agreed to consider the above in the continued work on the plan (Uddevalla, 2015c, p. 4).

**Planner A (Interview 2017)** “... the County Administrative Board did not state that they were against the plan. They could have addressed that the plan opposes the SEC and would be re-examined if it is adopted. *Instead, they acknowledged that the plan would not be examined if the geotechnical issues were managed...*”



TECKENFÖRKLARING GRUNDKARTA

- - - - - Fasthetsgränns
- - - - - Traktgräns
- ..... Servit
- ..... Fasthetsbeskrivning
- 000 Servitfästhus
- 000 Gemensamt fasthetstygning
- 000 Svavelspekt
- 000 Byggnader, lokaler
- 000 Byggnadsgränser vid behov
- 000 Arvshävd
- 000 Transformationskarta
- 000 Färdspår
- 000 Stat
- 000 Vik
- 000 Stenar
- 000 Sten
- 000 Vattenledning
- 000 Uke
- 000 Höjdlinjer
- 000 Stensid
- 000 Väg
- 000 Gång och cykelpass
- 000 Utespår
- 000 Elledning
- 000 Bannering
- 000 Skans
- 000 Stig i dagen
- 000 Byggnadsgränser
- 000 Forstgränser
- 000 Rullningslinjer

Grundkartan framställt genom:  
 Kartstämning enligt RMK 2:2 § 1  
 Fyllningsgränser enligt standard 2  
 Lägeprogrammet enligt standard 1

Skala 1:1000  
 Koordinatavsnitt: SWEREF 99 12 00  
 Datum: RP 10  
 Utgåvdatum: 19 augusti 2013  
 Reviderad: 10 november 2014  
 Merit Jonsson  
 Mätningsschef

**PLANENS NR:**  
 Antagen av KF:  
 Laga kraft:

**PLANBESTÄMMELSER**

Följande gäller inom området med redarens bestämmelser. Endast angivna ändringar är tillåtna. Bestämmelser utan beteckning gäller för hela planområdet.

**GRÄNSBETECKNINGAR**

- Planområdesgräns
- Ändringsgränns
- Egenskapsgräns
- Illustrationsgräns

**ANVÄNDNING AV MARK**

Alternativa platser

- NATUR** Naturområde med gångstigar mm
- LOKALVÄG** Lokal trafik
- P** Parkering

**Kvartersmark**

- Tekniska anordningar
- Bostäder

**UTFORMNING AV ALLMÄN PLATS**

dagvatten Fästningsgränser för dagvattnet

geo Skävt och fyllning får ej utföras med en höjdhöjd av mer än 1 meter. Skävt och fyllning får ej utföras närmare än 5 meter från väg 675. Vaghöjd i meter över grundkartans nollplan

**UTNYTTJANDEGRAD**

Byggnadsarealen får uppgå till högst 250 kvm per tomt. Minsta tomtnummer är 900 kvm. På varje tomt får uppföras högst en huvudbyggnad med högst en bostad.

**BEGRENSNING AV MARKENS BEBYGGANDE**

Byggnader får inte uppföras

u Marken skall vara tillgänglig för allmänna, underjordiska ledningar.

y Marken skall vara tillgänglig för utifrån angivande fastighet

**PLACERING; UTFORMNING; UTFÖRANDE**

**Placering**  
 Minsta avstånd mellan huvudbyggnad och tomtgräns är 4,0 meter.  
 Minsta avstånd mellan utfäst och tomtgräns med väg och natur är 4,0 meter samt mellan utfäst och tomtgräns mot grannlott 1,0 meter.  
 Garage och carport ska placeras så att det blir minst 6 meter fri yta framför porten.

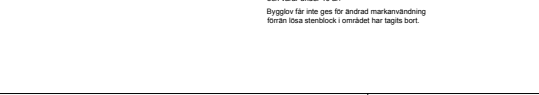
**Utformning**  
 Högstanockhöjd i meter över grundkartans nollplan för huvudbyggnad.

Sjörösta taklutning för huvudbyggnad med sadeltak är 36 grader.  
 Sjörösta taklutning för huvudbyggnad med pulpettak är 18 grader.  
 Högsta bygghöjd för uthus är 3,0 meter.  
 Sjörösta taklutning för uthus är 27 grader.

**Utseende**  
 Fasaderna ska utföras i ljusa kulörer eller dova färger som samspelar med omgivande landskap och natur. Takbeläggning ska vara i färgerna rött eller grått. Även sedumtak får användas.

**ADMINISTRATIVA BESTÄMMELSER**

Kommunen är inte huvudman för allmän plats.  
 Genomförandebeslut fattades 2017-01-01 och varar under 10 år.  
 Byggnad får inte ges för ändrad markanvändning förrän föra stensid och komplettera byggkost.



PLANKARTA

- ANTAGANDEHANDLING**  
 PLANKARTA  
 tillhörande detaljplan för  
 Del av fastigheterna Å 1:20 m fl  
 Uddevalla kommun
- UPPLYSNINGAR**  
 Utställningshandlingar:  
 Plankarta med planbestämmelser  
 Planbeskrivning  
 Genomförandebeskrivning (inbäddat i planbeskrivningen)  
 Fastighetsbeskrivning 2013-10-17  
 Planprogram daterat 2012-01-27  
 Redogörelse för programavskrivning 2012-08-08  
 Övriga handlingar:  
 Utställningshandling av AP i Marknadsutskottet AB 2013  
 Arkivstudie Utvärdering av Bostadsutskottet 2013  
 Trafikstudie Utvärdering av Stadsrådet 2013-04-03  
 Naturvärdesinventering av Naturcentrum AB maj 2013  
 Dagvattenutredning 2013-04-18  
 Projekterings-PM/Gasteknik av Bostadsutskottet AB 2015-07-08
- Uppgjord 2015-01-16  
 Reviderad 2015-08-04  
 Håkan Björkmann Arkitektbyrå  
 Christer Nordström Arkitektkontor AB



Figure 7: Plan Map for Å 1:20 - Exhibition Period



### 5.1.3.2 Institutional Framework

The plan area is covered by the regulations for the areas of national interest for highly developed coast according to chap. 4, §§1 and 4 of the SEC (Länsstyrelserna, 2015, p. 2).

*“The plan is covered by §§1 and 4, although §4 is less interesting in this case [Å 1:20]”.*

*- Planner A (Interview 2017)*

#### 5.1.3.2.1

#### ***§1 Natural and cultural asset; significant damage:***

**VG CAB** emphasised that the Municipality needed *to further develop their argument in view of the regulations in chap. 4 of the SEC*. The Board maintained that the program site is considered as an area of national interest and that the development should not significantly damage the natural and cultural assets (VG CABa, 2012, p. 4).

**Uddevalla Municipality** believed that plan proposal *did not* lead to significant environmental impact (Uddevalla, 2012, p. 7).

Uddevalla Municipality conceded that the landscape scenery would change, even though the development would take place in close proximity to existing properties as well as ancient monuments, and would examine other cultural assets throughout their work on the plan (Uddevalla, 2012, p. 4-5). However, *how this was developed further during the different stages in the process of planning is unclear*.

**Planner A (Interview 2017)** “Developing the areas of national interest are *not strictly forbidden*, yet, operations in the environment are allowed if the natural and cultural assets of the area are not significantly damaged, so this is how it is interpreted.”

#### 5.1.3.2.2

#### ***§4 Complement to existing buildings:***

**VG CAB** believed the “*green corridor*”, as presented in the municipal comprehensive plan, was worth preserving, and that *development should primarily be established within the areas pointed out in the comprehensive plan* (VG CABa, 2012, p. 1).

*Uddevalla Municipality* believed that the *planned development complemented the existing buildings* in the East, as well as the West, of the plan area. The proposal was believed to conform to chap. 4 of the SEC, and *would not significantly damage* the areas of national interest (Uddevalla, 2013, pp. 1-2).

### 5.1.3.3 The Decision-Making Process

On **14 October 2015** the Municipal Council in Uddevalla Municipality *decided to adopt* the detailed development plan for Å 1:2 m.fl (Uddevalla, 2015d) .

*“Many of the plans are adopted by the Building and Planning Committee (now called the Environment and Urban Planning Committee) (...) but this one was adopted by the Municipal Council – who also adopts the comprehensive plan – since we believed that, after all, the plan actually opposed the municipal comprehensive plan.”*

*- Planner A (Interview 2017)*

- **10 November 2015:** VG CAB decided to examine the Municipal Council’s decision to adopt the detailed development plan for Å 1:2 m.fl., although, due to reasons outside of the regulations in chap. 4 of SEC (VG CABa, 2015);
- **13 January 2016:** VG CAB decided not to annul Uddevalla Municipality’s decision to adopt the detailed development plan for Å 1:20 m.fl (VG CABa, 2016);
- **13 January 2016:** The detailed development plan for Å 1:20 won legal force (Uddevalla, 2016).

### Additional Facts: In the Words of the Planner

*“This case – Å 1:20 is quite interesting. We [civil servants] suggested the politicians not to implement this detailed development plan (..) We suggested that the Municipality was not ready to try a detailed development plan in this area [Fräknestranden] for housing purposes. **We civil servants were opponents to this plan!** The Environment and Urban Planning Committee decided to recommit in May 2011, and once again, in November 2011. Again we suggested that we civil servants in the Municipality, were not ready to try this plan. (...) But then, the majority in the Environment and Urban Planning Committee were ready to try the program for the detailed development plan (...) through a majority decision in November 2011. We, as civil servants, considered implementing the politicians’ decision.”*

*- Planner A (Interview 2017)*

## 5.2 | Case B: Sotenäs Municipality (Ödby 1:2)

### 5.2.1 Comprehensive Plan and the Areas of National Interest

#### *2004 Comprehensive Plan*

Sotenäs Municipality in their comprehensive plan defined their coastal areas starting 2 kilometers from the shoreline (*see Figure 8, p. 77*) as areas of national interest according to chap. 4 of the SEC. They state that the areas of national interest do not prevent development of existing urban areas, or industry or commerce, amongst others (Sotenäs, 2004, p. 90).

Additionally, Sotenäs Municipality recommended land-use for areas covered by the regulations in chap. 4 of the SEC that are not in the detailed development plan. They stated, amongst other things, that (Sotenäs, 2004, p. 84):

- the coastal areas are covered by the regulations in chap.4 of the SEC;
- there is increased pressure to develop land in the coastal areas.

Therefore, suitability for new buildings *should be tried* in a detailed development plan.

#### *The plan area (Ödby 1:2 - Case B)*

Ödby Ö 1:2 is presented as an “Area for Holiday Homes or Buildings for Tourism<sup>7</sup>” (Sotenäs, 2004, p. 87).

<sup>7</sup> Author’s own translation.

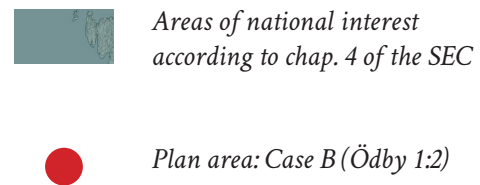
#### *2010 Comprehensive Plan - the currently valid comprehensive plan*

Sotenäs Municipality presents the plan area: Ödby 1:2 as “UC3A Ödby” and mentions that the area is covered by the regulations in chap. 4 of the SEC (Sotenäs, 2010a, P. 9). The area is presented as an area for development for camping, dwellings and housing for tourism (Sotenäs, 2010, p. 17).

Sotenäs municipality in their recommendations for the coastal zone mentions amongst others that (Sotenäs, 2010, p. 42):

- water and land should be used for revenue from tourists eating out, but not consumed;
- construction within the coastal zone should be avoided;
- land and water areas should be prioritised for nature conservation and outdoor recreation.

Figure 8: Map over Sotenäs Municipality and the areas of national interest



## 5.2.2 Case Overview

*“We did not believe that the plan was against the regulations for the areas of national interest. (...) The County Administrative Board changed tack.”*

*– Planner B (Interview 2017)*

The plan area is located in Hunnebostrand. Within the plan area are Ödby Norgård (Ödby 1:2, a farm), as well as some existing holiday homes (Sotenäs, 2015, p 1). The business concept was to develop the Ödby Norgård farm, an area of private property measuring approximately 36.6 hectares, into an area for tourism and outdoor recreational exercises, therefore creating facilities for tourism and agricultural activities.

The aim of the detailed development plan was to build a tourist facility in connection to Ödby 1:2. The plan outlined development rights for new dwellings, rental and camping cottages, amongst others (Sotenäs 2015, p. 2). The plan area is covered by regulations according to chap. 4, §§ 1, 2 of the SEC, as detailed in the plan proposal (Ibid).

The plan program started with the 2004 municipal comprehensive plan as its basis, but it also took into account the current 2010 municipal comprehensive plan. The detailed development plan, according to Sotenäs Municipality, was supported by both the comprehensive plans (Sotenäs, 2015, p. 4-5). However, VG CAB considered the plan was not fully supported by both the 2004 and 2010 municipal comprehensive plans, and because of this, the current assets should be further examined during the detailed development planning process.

Furthermore, the Board believed that the areas of national interest were going to be significantly damaged and would examine the plan if adopted by Sotenäs Municipality. VG CAB made clear that the plan area is covered by the regulations for the areas of national interest for the unbroken coast according to chap. 4, §§ 1, 2 and 3 of the SEC (VG CABb, 2015, p 1-3).

*The plan area is covered by the regulations for the unbroken coast according to chap. 4, §§1, 2 and 3 of the SEC. However, the plan proposal does not concern § 3 and will therefore not be detailed below.*

*The following are parts of the regulations according to chap. 4 of the SEC relevant to the case:*

*§1 Natural and cultural assets; significant damage:*

*“... Development projects or other environmental interventions (...) can be implemented in a manner that does not significantly damage the natural and cultural assets of these areas.*

*The provisions of the first paragraph and sections 2 to 6 shall not be an obstacle to the development of existing urban areas or local industry (...).”*

*§2 Tourism; outdoor recreation; outdoor recreational activities: “(...) special consideration shall be given to the interests of tourism and outdoor recreation, in particular outdoor recreational exercise, in connection with assessments of the permissibility of development projects or other environmental intrusion (...).”*

# PROGRAMSKISS

DETALJPLAN FÖR DEL AV  
ÖDBY NORDGÅRD 1:3 M.F.L.

HUNNEBOSTRAND SOTENÄS KOMMUN  
VÄSTRA GÖTALANDS LÄN

Upprättad av C&B ARKITEKTER AB 2006-10-12

Lars-Erik Andersson  
Planarkitekt



- A Holiday Homes
- B Rental cottages
- C Camping cottages
- D Tent
- E Campers
- F Yard and Service
- G Dock, Swimming area

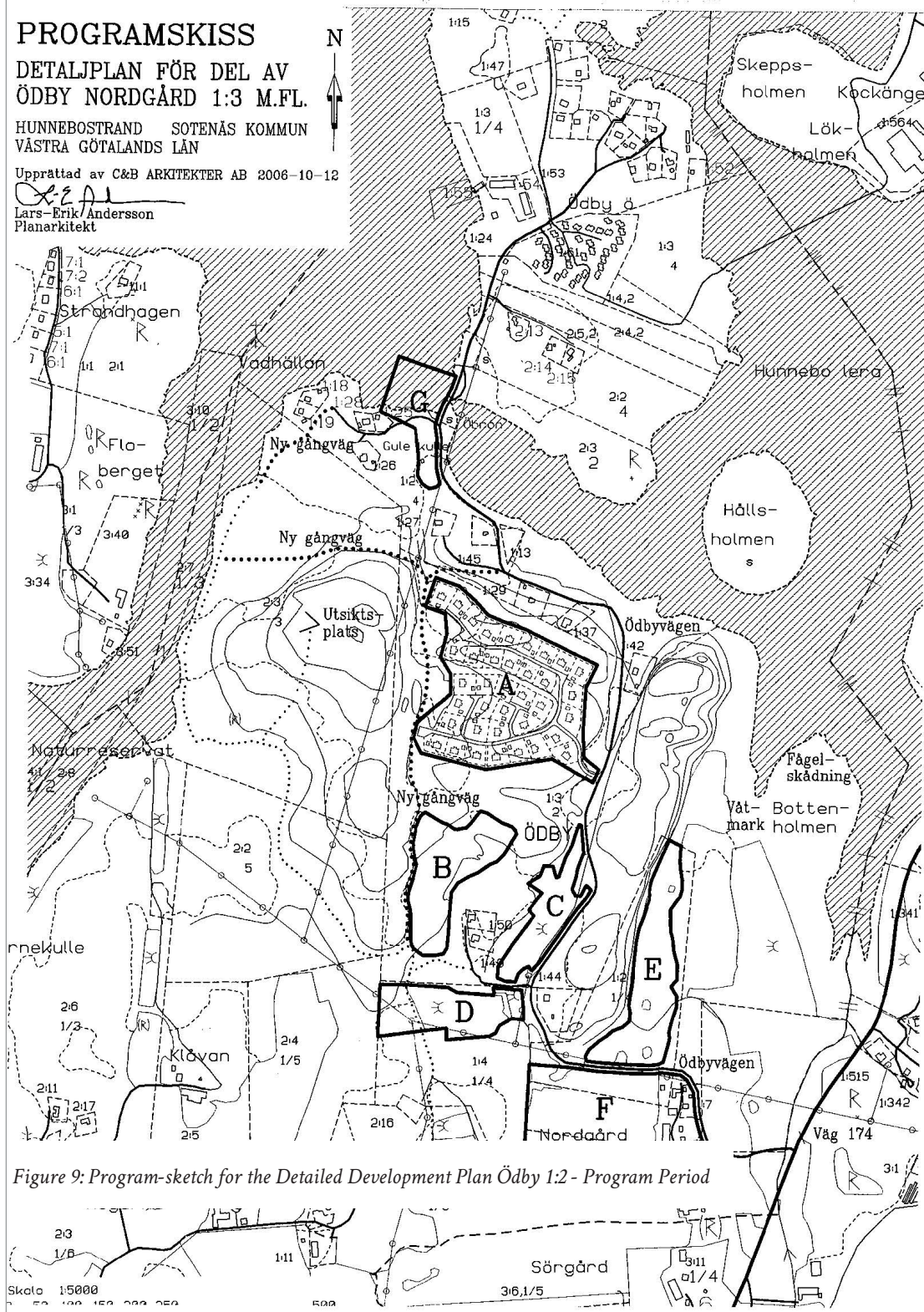
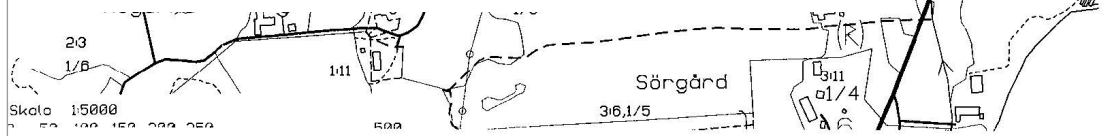


Figure 9: Program-sketch for the Detailed Development Plan Ödby 1:2 - Program Period





## 5.2.3 Analysis

### 5.2.3.1 Actors and Relationships

*“There has been a political consensus behind this [plan]. The idea has been that the land developer’s sons will pursue this (the activities in the proposed development) in the future.”*

*- Planner B (Interview 2017)*

#### 5.2.3.1.1 Actors

- *A private person:* land developer; land lord;
- *Cim & Bim Arkitekter (CBM) - private consultant:* drew up the plan documents;
- *Sotenäs Municipality: (municipal planner(s))* dealt with the plan proposal, drew up reports during the program period, review period and the exhibition period;
- *VG CAB:* made pronouncements during the program period, the review period, and the exhibition period;
- *Sotenäs Municipal Council:* adopted the detailed development plan.

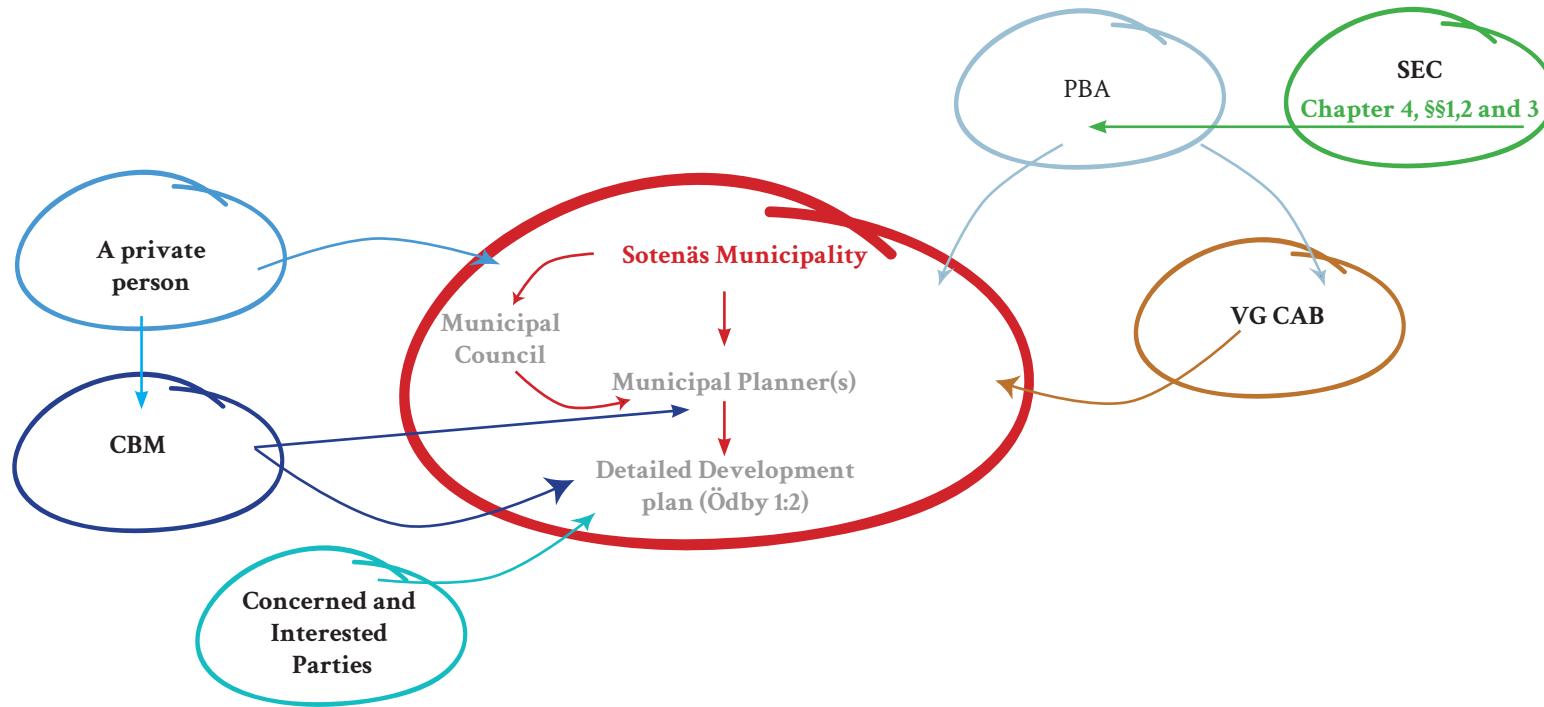


Figure 10: Illustration of the different actors (Section 5.2.3.1.1) in the detailed development plan process for Ödby 1:2

### 5.2.3.1.2 Pronouncement: Program Period (October 2006 – April 2007)

#### 5.2.3.1.2.1

<sup>a/b/c</sup> = Points in question during the different planning stages

**VG CAB** considered the concerned area as an area of national interest for outdoor recreation. However, because the program *lacked a thorough review of the area's natural assets in the view of the proposed development<sup>b</sup>*, it was difficult for the Board to state views over how the plan related to the regulations for the areas of national interest. The Board did not consider that the plan program was fully supported in both the 2004 and 2010 municipal comprehensive plans (Sotenäs, 2006, pp. 16-7).

**Sotenäs Municipality** agreed to perform a nature conservation inventory to provide the basis for continued work on the plan (Sotenäs, 2006, pp. 16-7).

#### 5.2.3.1.2.2

<sup>c</sup> Holiday homes  
- Significant damage  
- Future privatisation

**VG CAB** believed that due to its attractive location in a valuable cultural landscape, the program area supported in the comprehensive plans could provide unique preconditions for the development of tourism which, according to the Board, Sotenäs Municipality lacked. Therefore, the VG CAB suggested the area to be used as a strategic resource for the Municipality (Sotenäs, 2006, p. 17).

The Board highlighted the value of coastal areas, stating that they are valuable resources for the municipalities and new plan areas should therefore facilitate activities that make use of the area but not consume its valuable resources (Ibid).

**Sotenäs Municipality** acknowledged that they would consider this an important factor during their work on the detailed development plan (Sotenäs, 2006, p. 17).

#### 5.2.3.1.2.3

<sup>b</sup> Natural and Cultural Assets  
- Landscape picture  
- Significant damage

**VG CAB** did not feel, in view of the above (5.2.3.1.2.2), that *plans for new holiday-home plots made use of the valuable resources in the area in a sustainable way<sup>c</sup>* and suggested that, if the Municipality still chose to go ahead, the new plots should instead be planned for year-round residences (Sotenäs, 2006, p. 17).

**Sotenäs Municipality** did not respond.

#### 5.2.3.1.2.4

**Bohuslän's Museum** mentioned that VG CAB considered the plan area an area with high cultural assets, even though they thought that it was not recorded as such in the cultural-historical basis for the Municipality or the municipal comprehensive plan (Sotenäs, 2006, pp. 17-8).

The Museum went on to request a thorough review of the environmental assets of the area, along with an archaeological investigation (Ibid).

**Sotenäs Municipality** confirmed that the area is in fact recognised as an area with distinct cultural assets in the 2004 municipal comprehensive plan (Sotenäs, 2006, pp. 17-8).

The Municipality agreed to discuss the archaeological investigation in a meeting with the VG CAB (Ibid) .

Several concerned and interested parties, in addition to Sotenäs Naturskyddsförening, also stated their opinions, yet the statement of opinions did not directly relate to the regulations for the areas of national interest according to chap. 4 of the SEC.

In addition to the consultation for the plan program , Sotenäs Municipality also held a meeting on 22nd March 2007 between Sotenäs Municipality, VG CAB, the land developer and Cim & Bim Arkitekter, to discuss the plan program in-depth. VG CAB warned that the plan for the holiday-home plots could be re-examined.

The result of the meeting is attached as an appendix to the program report, but is not entirely presented here because it is outside the scope of the analysis of the VG CAB's formal pronouncements in the different stages.

### 5.2.3.1.3 Pronouncement: Review Period 1 (January 2011 – March 2011)

#### 5.2.3.1.3.1

**VG CAB** believed that parts of the development were not compatible with the regulations according to chap. 4 of the SEC. *This particularly concerned the suggested plots for holiday homes<sup>c</sup>*, as well as other plots with the given function “*holiday homes/rental residences*”. The Board believed that this would significantly damage the areas of national interest (VG CABb, 2011, p. 1).

The Board required that the plan proposal should be revised according to the their comments to avoid the detailed development plan being examined by the Board in the event it is adopted (Ibid).

**Sotenäs Municipality** made no specific reference in regards to the holiday-home plots in their response. They *believed that the detailed development plan balanced the requirements according to the SEC*. They based their belief on the investigations they had conducted, such as an inventory on nature, landscape analysis, etc., during their work on the plan. According to the Municipality: “(...) *The [VG] County Administrative Board has taken part in the different stages of the plan (...) we are now confronted with the demand to discontinue planning for holiday homes in favour of camping and outdoor recreational exercise*” (Sotenäs, 2011, pp. 2, 3).

Therefore, the Municipality requested concordance from the Board to enable them to finish the plan work (Ibid).

#### 5.2.3.1.3.2

**VG CAB** *feared future privatisation<sup>f</sup>* and did not consider developing plots for holiday homes as a sustainable way of utilising the valuable land resources in the area (VG CABb, 2011, pp. 1-2).

**Sotenäs Municipality** *reduced the part of the plan covering development of the holiday homes* by 50 %. The Municipality *called attention to the economical conditions* during the lengthy development-work on the detailed development plan, pointing out that a certain quotient of holiday homes is thereby considered necessary (Sotenäs, 2011, pp. 2-3).

<sup>c</sup>Holiday homes  
- Significant damage  
- Future privatisation

#### 5.2.3.1.3.3

<sup>a</sup>Municipal  
Comprehensive plan

**VG CAB** reiterated their *opinion concerning Ödby over the municipal comprehensive plan<sup>a</sup>*, which says that they “... are negative to land-use which means housing instead of recreational activities and tourism within the area” and that they were still against the development for holiday homes in the plan area (VG CABb, 2011, p. 1).

**Sotenäs Municipality** attested that land-use for the *plan area was tried in both the 2004 and 2010 municipal comprehensive plans*. The work carried out on the comprehensive plan for Ödby, for example to develop areas for outdoor recreational activities and tourism, is a goal-oriented investment, the Municipality stated (Sotenäs, 2011, p. 2). However, 's position on if the proposed plots for holiday homes would significantly damage the area of national interest is unclear.

**Planner B (Interview 2017)** “From the Municipality’s side, *we believed that the County Administrative Board did not stand by its point of view on the comprehensive plan*, but this was our understanding. If you talk to the County Administrative Board, you will hear another version. It was then that the discussion about the significance of the comprehensive plan was taken up. *It is not binding like the detailed development plan, but just a guidance.*”

#### 5.2.3.1.3.4

**Ödby Öbacken’s joint property unit society** stressed the importance of carrying out an environmental impact assessment covering environmental pressure according to the regulations in chap. 4 of the SEC (Sotenäs, 2011, p. 16).

**Sotenäs Municipality** realised that the plan documents should be further developed (Ibid).

Many other pronouncements in the review report highlighted how the consequences of the plan proposal would affect the environment in various ways, although these did not directly relate to the regulations according to chap. 4 of the SEC and so will not be detailed here.

The review report chronicled further meetings held between the Municipality and VG CAB, which were used as a “*platform*” for negotiating the final works on the plan (Sotenäs, 2011, p. 52).

#### 5.2.3.1.4 Pronouncement: Review Period 2 (November 2013 – January 2014):

In 2014, an additional review was held, yet many of the pronouncements made during review period 1 in 2011 remained the same. Many of the VG CAB's opinions concerned further enhancements of the previous pronouncements.

##### 5.2.3.1.4.1

**VG CAB** emphasised the relationship between the plan proposal and the regulations in chap. 4 of the SEC. Additionally, they stressed the *importance of being considerate while attempting to develop or to perform other operations in the terrain*. The possibility of restoring the land if the proposed activities (*see p. 78*) come to an end was also to be ensured (VG CABb, 2014, p. 1-2).

The Board furthermore thought that the *aforementioned could instigate an examination of the plan*. On the other hand, they believed that *the plan could be implemented without significantly damaging the areas of national interest as long as it was adapted to the views of the Board<sup>b</sup>* (Ibid).

**Sotenäs Municipality** referred to the updated environmental impact assessment, and confirmed that the Board's pronouncements would be considered during the exhibition period (Sotenäs, 2014, p. 2).

##### 5.2.3.1.4.2

**VG CAB** called attention to the *importance of adapting the plan proposal to the landscape<sup>b</sup>*, in order to avoid any significant damage to the areas of national interest. They urged further adaptation needed to be done in regard to chap. 4 of the SEC. For example: land with high recreational values should not be developed; facilities or installations that required interference in the rocks were not considered suitable; and settlements needed to be designed taking the landscape into consideration (VG CABb, 2014, pp. 2, 4).

**Sotenäs Municipality** made assumptions from the Board's opinions and presented, among other things, their plan regulations for developing the buildings, and avoidance of any kind of rock explosions (Sotenäs, 2014, pp. 3-5).

<sup>b</sup>Natural and  
Cultural Assets  
- Landscape picture  
- Significant damage

#### 5.2.3.1.4.3

*‘Holiday homes*  
- *Significant damage*  
- *Future privatisation*

**VG CAB** noted that Sotenäs Municipality changed plan regulation *B*: housing to regulation *N*: outdoor recreational area. However, the Board reiterated their opinion that the *risk of future privatisation which would significantly damage the areas of national interest*<sup>f</sup> according to chap. 4 of the SEC (see 5.3.2.1.2.3; 5.3.2.1.3.1; 5.3.2.1.4.2) (VG CABb, 2014, pp. 2-3).

Broadly preserving the value of the outdoor recreation area was suggested to be the fundamental basis on which the proposal should follow the regulations (Ibid).

**Sotenäs Municipality** took a vague stance on the above. However, they do address that the aim of the plan is to have a clearer focus on short-term tourist residences, and to leave minimal effect on nature (Sotenäs, 2014, pp. 2-4).

**Planner B (Interview 2017)** "This area is situated quite close to Hunnebostrand – a society on the other side of the pedestrian bridge. It is stated in chap. 4 [§1 of the SEC] that ‘*development of existing urban areas*’ should not be *restrained*, and if this was seen as a new residential area [the plan area Ödby 1:2], *it was a ‘development of existing urban area’*. But the County Administrative Board could not be convinced to recognise this as ‘development of existing urban area’."

#### 5.2.3.1.4.4

**Svenska Naturskyddsföreningen** underlined that the area’s natural assets, including its flora and fauna, should be taken into consideration. However, they do not refer to chap. 4 of the SEC (Sotenäs 2014, p 16).

**Sotenäs Municipality** replied accordingly.

Other detailed pronouncements regarding the regulations in the detailed development plan were made by the Board. The Municipality responded accordingly.

In addition, many pronouncements from other concerned and interested parties were made. Nevertheless, they remain similar and did not specifically make reference to the regulations in chap. 4 of the SEC.



### 5.2.3.1.5 Pronouncement: Exhibition Period (December 2014 – 26 January 2015)

#### 5.2.3.1.5.1

**VG CAB** confirmed they would examine the plan if it was adopted, due to their opinion that the areas of national interest would be significantly damaged according to chap. 4 of the SEC (VG CABb, 2015, pp. 1, 4).

The Board argued that a one-plot regulation needed to be introduced for all facilities before the plan was adopted. They believed that this was the only strong planning measure for ensuring that the area's assets for outdoor recreational activities were protected, and thus *preventing privatisation*<sup>c</sup> (Ibid).

**Sotenäs Municipality** introduced one-plot regulations (Sotenäs, 2015, p. 2).

**Planner B (Interview 2017)** “We cannot do more than what the plan says<sup>c</sup> [when it comes to preventing privatisation of the planned holiday homes]. It is when we find out that the dwellings are not being rented out that we know that they are not being used for what they should be used for. What we did was to simply claim this [the plan proposal] as trustworthy. To sum up, *the Municipality wants to believe on the land developer's decent intentions* for a tourist facility. Additionally, in the physical plan, we made changes and reduced the settlement areas, and increased the passages which the general public could use for walking.”

#### 5.2.3.1.5.2

**VG CAB** once more *emphasised the impact on the landscape picture*<sup>b</sup> (see e.g. 5.2.3.1.4.2) and that the settlement area should adapt so that the qualities and experiences of the public land are largely retained (VG CABb, 2015, pp. 1, 5). Therefore, the Board believed that the surface area and height of the sleeping accommodation buildings needed to be decreased (Ibid).

**Sotenäs Municipality** agreed to take the Board's comments into consideration and to review the location of the buildings and dwellings according to the terrain and the landscape (Sotenäs, 2015, p. 2).

#### 5.2.3.1.5.3

**VG CAB** stressed the importance of *being able to restore the land with minimal damages*<sup>b</sup> (see 5.2.3.1.4.1; 5.2.3.1.4.2) from the point of view of the area being an area of national interest. For this reason, the Board believed it was necessary to introduce a plan regulation through the detailed development plan that avoided explosions (VG CABb, 2015, pp. 1, 6).

<sup>c</sup>Holiday homes  
- Significant damage  
- Future privatisation

<sup>b</sup>Natural and  
Cultural Assets  
- Landscape picture  
- Significant damage

**Sotenäs Municipality** in response introduced a plan regulation to prevent explosions in specific parts of the plan area (Sotenäs, 2015b, p. 2).

#### 5.2.3.1.5.4

<sup>a</sup>Municipal  
Comprehensive plan

**VG CAB** recognised that most of their points of view have to some extent been taken into account, except for the point they raised regarding the municipal comprehensive plan (*see 5.2.3.1.3.3*) which they restate here. The Board determined that *the guidelines and recommendations in the comprehensive plan should be tried during the process of detailed development planning<sup>a</sup>* (VG CABb, 2015, p. 2).

**Sotenäs Municipality** argued that the 2004 and 2010 municipal *comprehensive plans had formed the strategic basis* for the detailed development plan, and that the mentioned readjustments would present tourist-oriented facilities (Sotenäs, 2015, p. 4).

#### 5.2.3.1.5.5

**VG CAB** added that the Municipality motivated the localisation of the plan area according to the comprehensive plans, but that the Board did not consider the content of the plan to present a pure tourist facility (VG CABb, 2015, pp. 2-3).

**Sotenäs Municipality** duly noted, but made no further comments (Sotenäs, 2015, p. 4).

In addition to the above, other interested and concerned parties have had similar opinions as in the previous pronouncements, but to a lesser extent.



### 5.2.3.2 Institutional Framework

The plan area is covered by the regulations for the unbroken coast according to chap. 4, §§ 1-3 of the SEC. However, the plan proposal does not concern §3.

#### 5.2.3.2.1

##### *§1 Natural and cultural assets; significant damage:*

**VG CAB** stressed that the plan regulations should ensure that the natural and cultural assets of the area of national interest are not significantly damaged if the proposed plan is implemented. The Board interpreted that *damage could be significant but temporary, or temporary with noticeable and permanent scars* (VG CABb, 2015, p. 3).

**Sotenäs Municipality** in summarizing the Environment Impact Assessment (EIA), assumed that identified natural assets are affected to a lesser extent, although they could be indirectly affected as a result of increased usage of the area. Furthermore, the cultural landscape of the farm in the plan area would get a new function, in addition to changes in the surrounding agricultural landscape.

At the same time, the Municipality acknowledged that some elements of cultural assets would disappear but some *would contribute to people's enjoyment of experiencing the natural and cultural assets* (Sotenäs, 2015b, p. 30). (NB: examining what the EIA does is not covered by the scope of this thesis and so they are not discussed in depth.)

#### 5.2.3.2.2

##### *§ 2 Tourism; outdoor recreation; outdoor recreational activities:*

**VG CAB** interpreted the term 'outdoor recreation' as something included in settlements that support outdoor activities. They also interpreted the term 'outdoor recreational activities' as concerning specific activities which could be free and performed without any arrangements. According to the Board, all new settlements in the form of year-round residences, *holiday homes, and season-based holiday homes, etc., that run the risk of becoming privatised, could significantly damage the areas of national interest* according chap. 4 of the SEC (VG CABb, 2014, p. 3).

*Sotenäs Municipality* believed the *new buildings and investment in tourism will increase people's ability to experience the nature in Ödby* (Sotenäs, 2015b, p. 2). They also believed that the tourist facilities would promote outdoor recreation by giving more people access to the area.

Additionally, they thought that if outdoor recreational activities increase as a result of the plan, more temporary visitors and residents could use the area. The Municipality concluded that possible increases in the amount of people using the area could have both positive and negative consequences (Sotenäs, 2015b, p. 30).

### 5.2.3.3 The Decision-Making Process

On *21 April 2016*, the Municipal Council in Sotenäs Municipality *decided to adopt* the detailed development plan for Ödby 1:20 m.fl. Ödby Norgård (Sotenäs, 2016a).

*"They [VG CAB] still had concerns but finally agreed that the plan [Ödby 1:2] was in line with the regulations for the areas of national interest [according to chap. 4 of the SEC]"*.

*- Planner B (Interview 2017)*

- 17 May 2016: VG CAB decided not to examine the Municipality's decision to adopt the detailed development plan for Ödby 1:2 m.fl. Ödby Norgård (VG CAB, 2016);
- 12 May 2016 – 18 May 2016: The detailed development plan was appealed by concerned and interested parties (concerned private landowners; Ödby Öbacken's joint property unit society, to name a few) to VG CAB, but for reasons outside of those converted by chap. 4 of the SEC (Sotenäs, 2016b).
- This case is now pending at the Land and Environment Court for decision.

### **Additional Facts: In the Words of the Planner**

*“Normally a plan takes between three to four years, but this one took just over ten years, making this plan different from others. [Several times between parts of the process there were gaps of] one or two years where nothing happened. It depended on that the land developer did not want, or did not feel, to carry the work out. Since this was not a municipal plan, we could not force him to produce documents.*

*Change of administrative officials [in the CAB, and in the Municipality] is not common either in many other plan processes. We have had many informal meetings with the County Administrative Board concerning the areas of national interest, but normally this is discussed only in connection with the different consultation stages. Surely this lead to the prolonged process as well. ”*

*- Planner B (Interview 2017)*

## 5.3 | Results: From a Theoretical Point of View

### 5.3.1 Actors

It is important to identify the actors and similarly observe which actors that took part in the planning process (Nuissl and Heinrichs, 2011). In such a way, it helps discover the governing discourse – *government* or *governance* – that they belong to.

Herein, Pierre (2011), but also Pierre and Peters (2000), argue that government still plays a key role in arranging public services. Subjected to the analysed cases (*Ödby 1:2 in Sotenäs Municipality; Å 1:20 in Uddevalla Municipality*), one could argue that the actors and to what extent they took part in the respective planning and the decision-making process differed, even though both the examined cases had chap. 4 regulations of the SEC as a common factor. This confirms what Nuissl and Heinrichs (2011) believe: that the planning process must always adapt to the specific situation.

However, it was apparent in both the analysed cases that the respective CAB (*government*) along with the Municipality (*government*), the planner (*government*) and the land developer (*governance*) all remained strong actors in the process of planning. What was simultaneously apparent was how VG CAB and the Municipalities (*both government*) played an influential role: the Board having the authority to examine and re-examine the plans; and the Municipality having the plan monopoly. In both these cases, it was clear that the *government* still plays a key role, also raised by Pierre and Pierre and Peters.

Contrary to the above mentioned, the main driving forces in both Å 1:20 and Ödby 1:2 came from private landlords. As the planners discussed retrospectively:

*“... one could say that there were two main economical aspects, on the one hand the landlord who wanted to profit from selling the plots, and on the other the Municipality who wanted revenue on water and sewerage.”*

*- Planner A - Case A (Interview 2017)*

*“The driving force came from the private land developer, and he had the support of the politicians who were in favor (...)”*

*- Planner B - Case B (Interview 2017)*

What can be deduced from the planners’ reflections on the events is how the planning process was aided by market-oriented forces. The blurred boundaries between the public and the private sectors, along with a market-orientated relationship between the state and the private sector, is after all what Pierre and Sundström (2009) and Montin and Hedlund (2009) discuss as a process being more *governance* oriented.

Therefore, one could draw the conclusion that the private land developers in the analysed cases, through initiating the plan, took a larger part in the planning process than usual, which enabled them to build what they wanted. It surely indicates a market-orientation in the planning. And yet, what is more interesting to note is that in both the cases, the private land developers turned to a private consultant to draw up the plans – further strengthening the role of the private sector in the planning process, and softening the boundaries between the public and private sectors.

In discussing the different actors in the planning process, Nuissl and Heinrichs (2011) argue that the planners’ expert knowledge could be a strong means of influence and power. As construed by the planners on the role of the private consultants:

*“This is an obvious difference, since when we draw up plans under our own management, - we don’t need to call or discuss ..., but we do it directly as we want to.”*

*- Planner A - Case A (Interview 2017)*

*“[The private consultant] should have given better suggestions from the beginning. A competent consultant should know what is reasonable ... the more points of view from the Municipality and the County Administrative Board, the longer the process, and this is one of reasons for the prolonged process [in case B].”*

*- Planner B - Case B (Interview 2017)*



Taking that into consideration, one could question if the involvement of the private consultants, hired by the private land developer, in the process of planning are of any concern to the municipal planner. Then one could argue that in addition to blurring the boundaries between the public and the private sector, involvement of the private sector in the municipal planning process might also end up blurring the roles between the different actors involved.

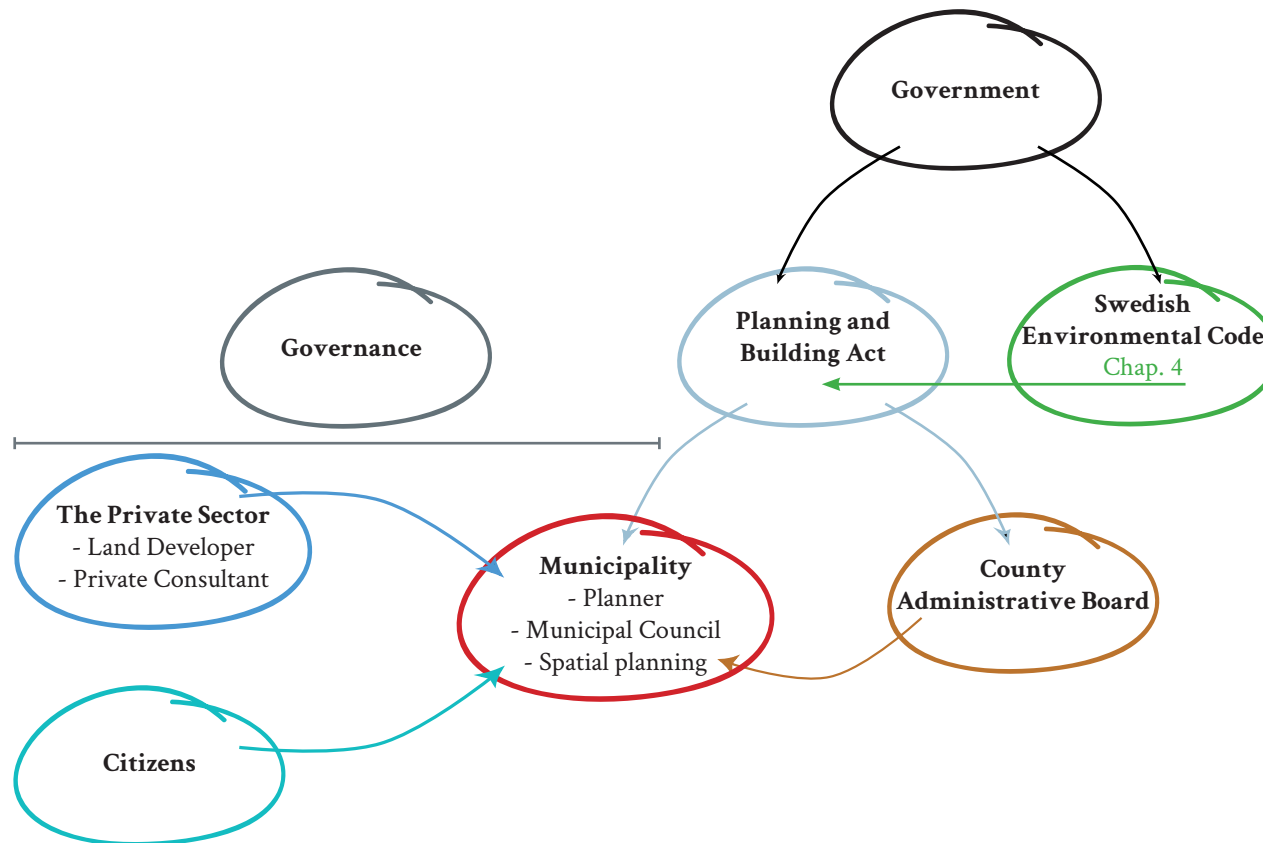


Figure 12: Different actors in a process of detailed development planning in relation to Government and Governance

### 5.3.2 Relationships

Nuissl and Heinrichs (2011) discussed that understanding the direction of the planning process, as well as the way which the actors are organised, is important.

The role of the State is not decreasing but rather transforming, according to Pierre and Peters (2000). VG CAB's points of views over the areas of national interest received more comments by the Municipalities than any of the other actors. This was evident in the words of planner A who stated:

*“The County Administrative Board’s pronouncements guided our work. We have an environment section, although, it is how we have provided for the Board’s pronouncements which is important. It depends on, as said, that the Board has the power or the possibility to re-examine or eventually annul the detailed development plan.”*

- Case A (Interview 2017)

The above indicates that throughout the process, despite the fact that the Municipalities did not share the same opinions on chap. 4 of the SEC with the CAB, the Board was always considered to have the last word. VG CAB (*government*) affected how the plan process worked in both the cases, keeping in accordance with Pierre (2011) who believes that the State still plays a key role in the provision of public services.

Nevertheless, argued by Pierre (2011) and Pierre and Peters (2000), while government has to center around structures and institutions, governance easily gets lost in a host of networks and partnerships. This was evident in case A for example when Uddevalla Municipality mentioned that they need to respond to the strong appeal of the metropolitan ‘Gothenburg’ region and therefore developing attractive areas like Å 1:20 was important for the Municipality. Planner B from Sotenäs Municipality reflected:

*“I put forward my suggestion to the [Sotenäs Municipality] Council, who also got requests from the land developer, and they probably decided something in between. If I had negotiated, I would not have considered anyone’s economy, and yet, the Council have to take other aspects into account, like the business sector, to make a collective judgement.”*

- Case B (Interview 2017)

This is in line with the *governance* discourse, incorporating both the public and the private boundaries, as Pierre and Sundström (2009) discuss.

The governance concept is criticised for assuming that the greater role of civil society would give everyone a voice. This, according to NuiSSL and Heinrichs (2011) is suspicious, and may have a discriminatory effect. In both the determined cases, from the program period through to the exhibition period, several concerned and interested parties had their own points of view. In case A (Å 1:20), many of the comments made primarily by concerned parties were mostly either left unanswered, or they were referred back to VG CAB's opinions. In case A, Uddevalla Municipality even went on to discount several of VG CAB's opinions. In case B (Ödby 1:2), many of the comments made by the concerned and interested parties were often vaguely taken into consideration. Instead of engaging the concerned actors in the participatory negotiations, this rather disregarded them. Evidently, this led to points of view being repeatedly reiterated from the concerned and interested parties throughout the entire process, which gave rise to further conflicts instead of resolving them.

Sotenäs Municipality's judgments and actions led to appeals from concerned and interested parties, but the concerns were outside that covered in chap. 4 of the SEC. On the contrary, in case A (Å 1:20), the Municipality's responses resulted in the involved actors repeatedly reiterating their comments, thereby substantially prolonging the process.

However, what should be noted here is how the planners observed that VG CAB was affecting the process of planning due to their authority to examine and eventually re-examine the detailed development plans. This strengthens the belief that the State, in the form of the CAB, had a considerable role, which reinforces the concept of *government*.

### 5.3.3 Institutional Framework

The institutional framework, on both a formal and informal level, affects the actors' decisions and hence their course of action, as discussed by NuiSSL and Heinrichs (2011). In examining the cases, the focus has mainly been on the formal institution, and the 2017 interviews with the planners shed further light into the planning processes in the analysed cases, which could be seen as an informal institution.

VG CAB in both the cases centered around formal institutions (chap. 4 of the SEC regulations for the areas of national interest), and yet the municipalities considered both the public and the private interests. It is interesting to note to what extent that led to certain changes in the detailed development plan. The PBA (2010:900; [earlier 1987:10]) ensures the regulations in chap. 4 of the SEC are adhered to throughout the process of detailed development planning. On the other hand, it also ensures that the private interests are considered.

When it comes to the regulations in chap. 4 of the SEC, Planner A said (Interview, 2017) *“there is scope for interpretation”*. The ‘scope for interpretation’ was evident throughout both of the analysed cases. In case A (Å 1:20), VG CAB’s opinions on the areas of national interest according to chap. 4 regulations of the SEC, did not lead to significant changes in the detailed development plan. On the converse, in case B, the Board’s points of view led to some noticeable changes in the plan. Interestingly, in both cases the Municipality did not fully agree with the Board’s opinions.

In weighing up the regulations for the areas of national interest with the planned development, the Municipalities believed that the planned development did not lead to any significant damage and went on to adopt the plans, decentralising the decision from a state level to a local level, which reinforces the concept of *governance*. One could derive from the above that the Municipalities considered the private interests more while administering the regulations for the areas of national interest (public interest) in the planning process.

At the same time, as pointed out by the planner B (*see p. 106*), the CAB’s opinions were decisive, agreeing with NuiSSL and Heinrichs (2011) that the formal institutions help to ensure public control of the decision-making process. In both the analysed cases, VG CAB did not entirely agree with the municipalities’ interpretations of the areas of national interest and believed that many of the natural and cultural assets would be damaged. To what

extent the Board's pronouncements were most influential in the decision-making process, especially in case A, was unclear.

### 5.3.4 The Decision-Making Process

According to Nuissl and Heinrichs (2011), looking at the decision-making process shows how the different actors accommodated each other's interests.

The Municipalities in both cases decided to adopt the plans. The plans in question were pushed ahead by the politicians, who in both the cases, were more in favor of developing the plan areas. In this view, Planner A (Case A) talked about how they (*the planners*) were given the order by the politicians to follow this plan through, whereas Planner B (Case B) stated that the politicians saw the State (*the CAB*) as unsuitable to decide on the Municipality's land area. Planner B went on to say that the plan was even raised to the County Governor by the politicians who believed that the plan should be adopted. This proved how the Municipality, analogous to the governance discourse, took a decision at a local level, questioning the decision in a state level. This characterizes *governance*.

What came as a surprise when analysing case A, was that the VG CAB, despite the fact that many of their opinions in regard to the areas of national interest were discounted, made no further comments on the areas of national interest in their scrutiny report. As planner A (Interview 2017) commented:

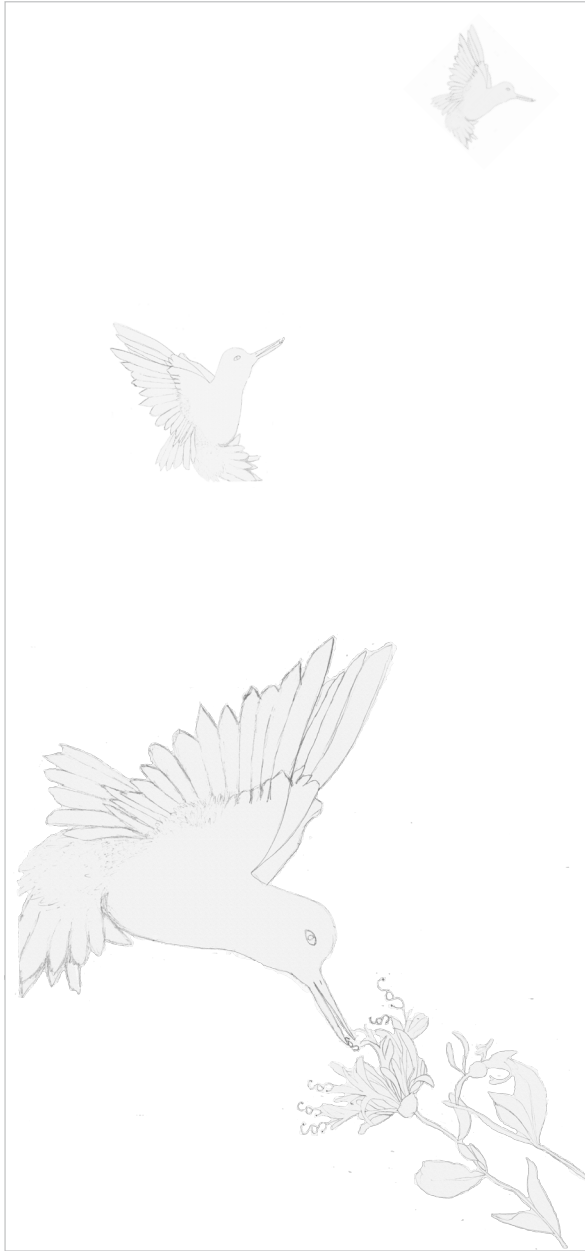
*"It was after all the County Administrative Board who hinted [in their review statement for the exhibition period] to accept the plan, which indicates that Board could use their authority to re-examine the plan, and they did not in this case."*

One could deduce from the above the Municipality's (*government*) role in the process of spatial planning is oriented more towards the market and the private sector (*governance*), hinting towards the changed role of the government in governance (Pierre, 2011). That the private actors initiated the plans and drew up the plan documents through a private consultant, who both aim to profit, means that they did not consider the different interests of the other actors, whereas the Municipalities did.

In light of this, it brings into question, as NuiSSL and Heinrichs (2011) argue, that the private sectors and civil society violate the democratic principles of representation, legitimacy and reliability. On the whole, it shows how the private sector has a dominant influence in the process of decision-making.

What must be stressed here is the absence of the local populations - the concerned and interested parties - in the decision-making process, who were probably unaware of what was going on. In case B, many of the concerned and interested parties appealed the plan, although for reasons outside of chap. 4 of the SEC. This points towards criticism facing the governance concept on the participatory negotiations, which NuiSSL and Heinrichs believe, does not automatically lead to fair solutions in the decision-making process. It brings into question if a broader role of the civil society in the decision-making process guarantees everyone a voice, or if it rather leads to disregarding them. One could also argue that answering all the concerned and interested parties' opinions in a convincing manner would have minimised the risk for future conflicts.

## 6. | CONCLUSIONS



*“Those who cannot remember the past are  
condemned to repeat it.”*

*- George Santayana*

This chapter presents the conclusions drawn from the analysis and the interviews in order of the three aims stated in chapter 1 *Introduction*, section 1.3 *Purpose and Aims*, and ends with reflections on the methods applied in the thesis and what might warrant further investigation.



## 6.1 | Interpreted and Followed or Ambiguous?

*One aim of this thesis is to analytically investigate how the regulations for the areas of national interest according to chap. 4, §§1-4 of the SEC are interpreted and followed in the detailed development planning process, as well as how well it relates to comprehensive planning, and how the regulations affect the formal decision-making process and therefore the end result.*

The regulations for the areas of national interest date back to the NLP during the 1960s when they were initiated as a way to ensure an active dialogue between actors at the local and the state levels. These were codified in the 1987 NRA (1987:12). A little more than ten years later, the regulations in chap. 3 and 4 of the SEC (1988:808) had no changes made. Regulations in chap. 4 of the SEC aim to preserve the natural and cultural values of the areas as pointed out in the Code as areas of national interest. On the other hand, they do not prevent development of existing urban areas or local industry in the areas of national interest. Therefore, the regulations in chap. 4 of the SEC are open to interpretation.

This thesis focuses on *chap. 4, §§1-4 of the SEC*. However, §3 was never discussed, and §4 was rarely discussed in the analysed case studies.

### 6.1.1 Case Study Conclusions

In both the case studies, how these regulations were interpreted had a significant impact on how the planning processes were carried out.

The broad discussion in regard to the regulations for the areas of national interest by Boverket, SKL, the committee directive (dir. 2013:126), to name a few, stress the need to adapt the regulations in view of the current need for land-use. Some of the terms in the regulations in chap. 4 of the SEC, for example, ‘*significant damage*’, are criticised for being too ambiguous to properly fulfil the intention of the regulations.

Reflecting on case A, Planner A maintained that:

*“There is scope for interpretation [in the implementation of the regulations according to chap. 4 of the SEC]. Chapter 4 of the SEC states that ‘development projects or other environmental interventions can be implemented in a manner that does not significantly damage the natural and cultural assets of these areas’, and this can be interpreted in different ways.”*

*- (Interview 2017)*

In both the case studies, whether the aim of the plan was to build single-family dwellings (Case A) or, facility for tourist activities and holiday homes or camping cottages (Case B), the Municipalities maintained that their plan proposal did not significantly damage the areas of national interest as interpreted from chap. 4 of the SEC. Similarly, the Municipalities highlighted the positive aspects of their plan proposal and how they followed the regulations, such as: enhancing normal development of existing urban areas as per §1 (Case A); promoting outdoor recreational activities, and increasing the ability to experience the nature as per §2 (Case B). Planner B reflecting on case B said:

*“We did not believe that the plan went against the regulations for the areas of national interest. Talking about chap. 4 of the SEC, it states that ‘tourism’ and ‘outdoor recreational activities’ should be promoted, it does not state that it should be an obstacle - but to be promoted, and this was a tourist facility and it promotes tourism, so this was how we interpreted it.”*

*- (Interview 2017)*

It is important to emphasise here that the regulations were interpreted from the point of view of the planned development and activities in the areas of national interest, rather than the natural and cultural assets of the plan areas – *the nature* itself. The fact that the primary intention of the NLP was to ensure the preservation of the significant values of these areas was missing in both the case studies.

The NLP also aimed to reduce the development of private holiday homes in favour of outdoor recreation and outdoor recreational activities. In Case B, VG CAB was concerned about future privatisation of the proposed holiday-home plots, which would then significantly damage the area of national interest. But as Planner B said:

*“The intention according to the regulation [chap. 4, §2 of the SEC] is, if the houses are built and consumed by frequent tourism through renting, it is fine, if bought by people who then own them, it is not acceptable. A plan cannot regulate this, this is the concern!”*

*- (Interview 2017)*

This indicates that the distinction between permanent dwellings and holiday homes as defined in chap. 4 of the SEC is blurred. It similarly raises questions about the extent to which the intentions of the regulations in chap. 4 of the SEC are fully achievable.

VG CAB in neither of the case studies shared the same views as the Municipalities on the natural and cultural assets. The Board believed that these important assets would be significantly damaged, and therefore, throughout the process pushed the Municipalities to adapt their plan proposals to take the natural and cultural assets into consideration, as well as the surroundings of the plan areas. The intention of the regulations according to the SEC after all is to preserve the collective values of these assets which are of interest for the whole nation.

VG CAB did not either share the same opinions as the Municipalities when it came to how well the detailed development plans related to the municipal comprehensive plans. In view of this, it is worth noting that the aim of the *“kommunöversikt”* (the then called municipal comprehensive plan) was to apply the NLP at a local level to further improve planning. The comprehensive plan must according to the PBA (SFS 2010:900) indicate the orientation of the long-term development of the physical environment, where the areas of national interest according to chap. 4 must be specifically indicated. The large amount of discussions initiated by the Board on the detailed development plans in relation to their respective comprehensive plans were in both the case studies noticeable throughout the processes of detailed development planning. However, to what extent Uddevalla Municipality followed the intention of the municipal comprehensive plan is questionable, as is how Sotenäs Municipality fulfilled the intention of their municipal comprehensive plan where its guidelines were meant to be tried in a process of detailed development plan. This also brings into question the CAB’s major role, which was to provide relevant material that could be used during the processes of planning.

## 6.1.2 What this Thesis Reveals

- *How the regulations according to chap. 4, §§1-4 of the SEC are interpreted by the different actors throughout the process of detailed development planning, affects how the planning process is carried out.*

In the case studies, this led to: longer processes; more investigations; more negotiations; and consultations, to name a few.

- *However, how the regulations according to chap. 4, §§1-4 of the SEC are interpreted, does not significantly impact the formal decision-making during the detailed development planning process. The scope for interpretation of the regulations probably makes it difficult to judge the counterpart actor/actors' arguments as wrong.*

In both the case studies the Municipalities went on to adopt the detailed development plans, despite the fact that the planned development could significantly damage the areas of national interest.

- *The municipal comprehensive plan plays an important role. How the regulations are applied in a comprehensive plan, significantly impacts the process of a detailed development plan. Therefore, the material that the CAB provide in the process of a comprehensive planning also becomes important.*

In the case studies, how the detailed development plans fulfilled the intention of the guidelines in the corresponding comprehensive plans formed a noticeable part of the discussions in the detailed development planning process.

- *VG CAB considers the natural and cultural assets of the areas of national interest according to chap. 4, §§1-4 of the SEC in a bigger context geographically than the municipality.*

This is noticeable in the case studies where VG CAB repeatedly reiterated their opinions questioning how the plan development affected its surrounding areas, and suggesting to put the plan proposal in a bigger context, geographically.

- *The natural and cultural values that are identified as significant for preservation by a municipality, is important. Whether the plan proposal significantly damages these assets is one of the main focuses of the detailed development planning process. Although, what “significant damage” means is open to interpretation.*

The importance of the natural and cultural values of the areas of national interest were strongly emphasised by VG CAB. In both the case studies, whether the natural and cultural assets would be damaged, and to what extent, was largely discussed. That “significant damage” was interpreted in different ways by the different actors was noticeable when in both the cases the Municipalities did not consider that the plan proposal significantly damaged the areas of national interest, while VG CAB did.

- *How the regulations in chap. 4, §§1-4 of the SEC are applied in a planning process are to some extent dependable on other Acts as well. For example, the chap. 4 regulations of the SEC are administered in a comprehensive plan through chap. 3 of the PBA (SFS 2010:900).*

The plan regulation for holiday-home plots through PBA in Case B could not ensure that the holiday homes would not be privatised in the future. Future privatisation of the holiday homes would then constitute a significant damage to the area of national interest, which does not adhere to the intention in chap. 4, §2 of the SEC.

- *Involvement of a private actor as a driving force behind the detailed development plan, seemingly impacts the process and the outcome of the plan, because the private actor considers economical interest as a higher priority than preserving the areas of national interest.*

In the analysed cases, this became clear from the interviews with the municipal planners who affirmed the economical interests as a reason behind initiating the plans. Even though it is not apparent from the analysed official documents, it seems obvious from the analysis as well that involvement of the private actor as a driving force meant that they were able to develop the area in the way they wanted, whereas the Municipalities had to consider the private interests in relation to the collective value of the areas of national interest. This is evident when the regulations in chap. 4 of the SEC were interpreted in a way to suggest that the areas of national

interest would not be significantly damaged, which was more in favour of planned development in both case studies.

At this point, it is of utmost significance to point out the public-private interests according to chap. 2 of the PBA that the municipality in spatial planning need to consider which values within an area of national interest need to be considered (§2), as well as other basic values like good economic growth and healthy competition (§3).

- *What the analysis also brings to light is that the process of planning in the implementation of the regulations for the areas of national interest according to chap. 4 of the SEC symbolise both government and governance. This could be argued based on the following.*

The Municipalities in the case studies, with their plan monopoly, tried to balance the private and public interests: chap. 4 of the SEC; the land developer; economic; to name but a few, in the process of detailed development planning. This distinguishes *governance*.

The government, in the form of the CAB, with their authority to examine and eventually annul a plan, can affect a detailed development plan during the different stages of planning with their consultation on the areas of national interest according to chap. 4 of the SEC. This was what the Municipalities in both the case studies needed. It indicates that *government* also plays an important role in the implementation of the regulations for the areas of national interest.

Therefore, one could argue that the new forms of governance, along with the regulations being ambiguous, lead to the need to adapt the regulations in chap. 4 of the SEC to the nationwide values of the areas of national interest, but still taking the current requirements into consideration.

## 6.2 | What Could Have Been Done Differently?

*Another aim of this thesis is to highlight the points in question which arise during the planning process, and initiate a discussion on how to address these. I discuss this aim with the knowledge I gathered through the case studies, with the intention of raising awareness of how previous issues affected the outcome, as a basis from which to build upon with knowledge and experience from what has been learned.*

From the case studies, it was possible to distinguish several issues that were extensively discussed. For example:

- the detailed development plans' relation to the municipal comprehensive plans (Case A and Case B);
- divided views on the natural and cultural assets, and the interpretation of “significant damage” on these as a result of the planned development (Case A and Case B);
- concerns for future privatisation of the proposed holiday homes (Case B).

Points 1 and 2 are the focus of the next discussion because they constitute the most significant issues drawn from both the case studies.

### 6.2.1 If not Supported, or not Fully Supported, in a Municipal Comprehensive Plan...

... A municipality *could examine the regulations in chap. 4 of the SEC* in the process of a detailed development plan. A comprehensive plan is not binding, but used as guidance. Therefore, if a proposed development in the process of detailed development planning does not support the regulations in chap. 4 of the SEC as applied in the municipal comprehensive plan, the suitability of the planned development could be tried in the process of detailed development plan. However, even if a planned development does support the guidelines in the municipal comprehensive plan, the suitability of the guidelines is still supposed to be tried in the detailed development plan.

In the case studies, neither of the Municipalities made a clear argument about why they did not follow the municipal comprehensive plan (Case A), or as believed by the CAB (Case B), were not in line with the municipal

\*Similar case:  
Detailed development  
plan “Södra Stockevik  
Grönskult 1:42 m.fl.”  
Lysekils Municipality

comprehensive plan. The Municipalities in trying to argue in favour of the plans, gave arguments supporting the guidelines in the comprehensive plan. This ignored the fact that the Municipalities were in the process of the detailed development planning which was to be tried against the guidelines in the comprehensive plan.\*

A Municipality could in a detailed development planning process acknowledge this and address how they could compromise. This might even reduce the amount of subsequent discussions needed.

## 6.2.2 What are Natural and Cultural Assets and Why are they Classified as Such?

The regulations in chap. 4 of the SEC mention: “(...) *the natural and cultural assets of these areas* (...)” However, how the term “*natural and cultural assets*” is interpreted and defined differs broadly from place to place.

In this view, *how a Municipality*, who also has a plan monopoly, *defines its natural and cultural assets*, affects how these areas are developed in the future. What is emphasised by chap. 4 of the SEC is the collective values of these natural and cultural assets. Therefore, to avoid misinterpretation it could be extremely useful to define:

- what the assets are;
- what values the assets have;
- what collective values the assets have;
- why the assets should be where they are;
- why the assets are worth preserving;
- etc.

It is then in the detailed development plan the plan proposal could be weighed up against these values to find out if the assets would be significantly damaged, or not.

Considering the values in a broader context during the detailed development planning process, *from the point of view of the natural and cultural assets*, could reveal if the planned development would adversely affect these values, and if so, to what extent, e.g. locally or on a wider scale. The values could be presented using a photo montage or



a landscape analysis, for example. Similarly, a plan proposal could consider the collective values of these natural and cultural assets in relation to other public/private interests.

### 6.3 | On the Role of a Municipal Planner

*This section discusses the third aim of the thesis, which is to critically discuss the role of a municipal planner in the process of planning based on the qualitative research interview, and my educational background in Spatial Planning. Quotes from the 2017 interviews with the municipal planners are included, which further support the discussion. Due to my background in spatial planning, I see it as vital to discuss this aim and reflect upon the role of the municipal planner in the process of spatial planning. NB: From here on 'municipal planner' shall be referred to as 'planner'.*

*"We civil servants [municipal planners] have the task to prepare errands for the politicians, and yes, we first and foremost should use our professional competence and our vocational pride, but then, we have to carry out what the politicians decide."*

*- Planner A (2017 interview)*

This being said, one could argue that a planner due to their knowledge and expertise plays an important role in spatial planning, but they are still obliged to take the politicians' decision into consideration. Planner B also in this view said that:

*"It is a part of the role [of a municipal planner] to draw up material and make suggestions, but then, it is the politicians who make the decision."*

*- (Interview 2017)*

It is important to note that a planner, despite playing a significant role in the planning process, has limited power to influence the results. After all, what a planner draws up and suggests has to be approved by the politicians who have the power.

On reflecting upon the power of the planner, the knowledge and expertise of a planner becomes of utmost important when it comes to their influence on decisions in the process of planning and therefore, the result.

In the same manner, to the extent a planner could influence a decision in the planning process, depends upon their professional competence and knowledge. This differs from planner to planner making the professional background and expertise of a planner an interesting point for discussion. While talking about the values of the areas of national interest, Planner B mentioned that:

*“These are values for the whole nation. I have tried to describe this and to put it into a context. This is an important pedagogical role of a civil servant [municipal planner]. It is important to describe why, in order to create an understanding for the areas of national interest.”*

*- (Interview 2017)*

What is even more interesting regarding a planner’s professional competence is when the same planner added that:

*“I was hired part-time by the County Administrative Board and the region [probably referring to the region of Västra Götaland] so I have worked with coast and sea planning for a number of years.”*

*- Planner B (Interview 2017)*

This really demonstrated how the connection between a planner’s knowledge could lead to a specific action. Why the planner emphasised the values of areas of national interest to the politicians, is probably as a result of their professional knowledge.

The authority a planner has in the planning process is interesting to discuss. The role of drawing up material in the planning process, gives the planner the opportunity to apply their expertise and knowledge, but they remain only as suggestions because the politicians make the final decision. One could then ask if empowering the role of a planner in decision-making could result in more expert knowledge being considered in the planning process, or if this would violate the democratic representation in a society.

*“As a municipal civil servant [planner] one could have an individual opinion, but then we choose our politicians, who as representatives finally decide the municipality’s opinion. I can only suggest, this is not wrong and it is how it should be. This is what democracy is. It could be threatening if only the civil servants had all the power, for example, if one [municipal planner] has a friend whom he/she supported!”*

*- Planner B (Interview 2017)*

On the other hand, planning processes within spatial planning are characterised by involvement of different actors. A municipal planner who draws up plan documents becomes a key actor among the others. Planner B on their role in the process of planning in Case B saw it as:

*“... a link between the County Administrative Board, the municipal Councils, and the private land developer”*

*- (Interview 2017)*

The role of a planner is complex. To be a spatial planner involves several roles: *as a plan architect, as a link between the different actors, and as an initiator of dialogue with citizens*, to name a few. But most of all, the role of a planner is as a professional expert in the process of planning, in which a planner first and foremost should use their professional experience and competence in the process of planning.

In the process of spatial planning, a planner draws up a plan in accordance with the PBA regulations. As a plan architect, a planner also has to consider the overarching objectives and ambitions of political decisions concerning the area in question as well as the interests of the plan initiator, who could be a public or commercial land developer. When the demands from the land developer and politicians conflict with the PBA or SEC regulations, for example, the role of the planner is to take the different points of view into consideration when drawing up the plan. However, it might in certain situations be useful if a planner was empowered with more authority to ignore opinions that are not in line with the regulations. The final decision on a plan rests with a political body.

Market-oriented planning and an increased number of initiatives by private land developers and landowners to develop land puts pressure on the public planning process. The private developer in such cases have clear ambitions and controls the funding of a project, which means that the question of what should be built and hence also the plan proposal needs difficult negotiation. Developers may in negotiations have to adapt to objectives expressed in

political steering documents, and a planner might with their authority and professional power in some cases even gain control over the development if it stands in conflict with other interests, for example intentions to preserve areas and objects of national interest.

Therefore, providing planners with more authority to apply their professional judgments in planning processes could be essential.

On the other hand, delegating some of the decision-making power to planners might result in new problems of an unbalanced democracy!

## 6.4 | Reflection and Further Research

The aims of this thesis have been fulfilled through benchmarked case studies using qualitative research analysis, in addition to qualitative research interviews as the main methods.

Official documents have been analysed, which positively reinforces the results of the analysis. As several detailed development plans could not be included in the study, the results from the qualitative content analysis cannot be broadly generalised. However, not many detailed development plans covered by chap. 4 regulations are adopted every year. In fact very few win legal force. In view of this fact, the analysed cases could form a considerable part of the adopted detailed development plans that are covered by the regulations for the areas of national interest.

The qualitative research interviews required some interpretation on my part to help view the analysed cases from other angles. Additional interviews with other involved municipal planners, and even other actors i.e. planners/architects in the CAB would also have helped to see the relationship between the different actors, as well as, the role of the planner in different contexts more clearly.

If I was to continue with the analysis, I would expand the geographical area covered in order to have more case studies and therefore improve the reliability of the results. More case studies would also mean more comparisons between the different geographical areas would be possible. I would also attempt to conduct a quantitative research analysis in order to represent more cases.

To continue with the study, I would go further to recommend some strategies based on the analysis, that could have been used during the planning processes in the administration of the regulations in accordance with chap. 4 of the SEC. It would also be worth studying how the regulations for the areas of national interest are administered in the process of comprehensive planning.

## 6.5 | Final Remarks

Finally, what was also brought to light from the study is that there is a need for disseminating knowledge and information about what constitutes the areas of national interest and what their values are, not only among the experts, but also among the general public, since these values sum up what is meant by ‘national interest’.

*"What has changed are the circumstances and not the values of the areas of the national interest. Instead of neglecting this fact, we should adapt to it!"*

*- Helalia Zamir*

The areas of national interest and the regulations that ensure their values are preserved need to be revised in order to ensure that their values are preserved for the whole nation to experience. The regulations for the areas of national interest according to the SEC are intended to ensure their values are preserved. However, efforts should be made by all concerned parties to implement practical methods to administer these.

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## Figures

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## Pictures

All the pictures (over Bohuslän) used in this thesis are taken by photographer: Per Pixel Petersson.

Picture p. 103: Hand drawing by the author.

## Appendices

### Appendix 1: Interview Planner A (03 April 2017)

*We civil servants [municipal planners] have the task to prepare errands for the politicians, and yes, we first and foremost should use our professional competence and our vocational pride, but then, we have to carry out what the politicians decide.*

*This case – Å 1:20 is quite interesting. We [civil servants] suggested the politicians to not implement this detailed development plan (...) We suggested that the Municipality was not ready to try a detailed development plan in this area [Fräknestranden] for housing purposes.*

*We civil servants, were opponents to this plan! The Environment and Urban Planning Committee decided to recommit in May 2011 and once again in November 2011. Again, we suggested that we civil servants in the Municipality were not ready to try this plan. (...) But then, the majority in the Environment and Urban Planning Committee were ready to try the program for the detailed development plan (...) through a majority decision in November 2011. We, as civil servants, considered implementing the politicians' decision."*

*There were several driving forces behind this plan. One driving force was the landlord who wanted to earn money by selling villa plots. Another driving force was the Municipality – the majority in this case wanted to generate new villa plots. There was possibly a third driving force, and it is that the Municipality had built water and sewerage pipes close to the area and wanted more subscribers for it.*

*Then one could say that there were two economical aspects, on the one hand the landlord who wanted to profit from selling the plots, and on the other the Municipality who wanted revenue on water and sewerage.*

*As I have said from the beginning, we as civil servants were against the plan from the start, since we believed that it goes against the comprehensive plan and the regulations according to chap. 4 of the SEC. (...) the comprehensive plan is not binding, it is used as a guidance or presents the Municipality's aims [for land-use]. Similarly, it is not an offense to go against it. But we believed that it should be followed anyway.*

*It was after all the County Administrative Board who hinted [in their review for exhibition period] to accept the plan, which indicates that Västra Götaland County Administrative Board could use their authority to re-examine the plan, and they did not in this case.*

*There is scope for interpretation [in the implementation of the regulations according to chap. 4 of the SEC]. Chapter 4 of the SEC states that 'development projects or other environmental interventions can be implemented in a manner that does not significantly damage the*

*natural and cultural assets of these areas', and this can be interpreted in different ways.*

*We were unsure if the County Administrative Board would approve the plan due to the regulations for the areas of national interest. Therefore, the plan was adjusted and corrected step-by-step. What is important for the municipal politicians is that the County Administrative Board gradually approved the plan, and they [the Board] did that in this case (...) constantly adjusting, and finally it was adjusted enough to be approved by the County Administrative Board"*

*[The plan was drawn up by a private consultant] This is an obvious difference since when we draw up plans under our own management, - we don't need to call or discuss ..., but we do it directly as we want to.*

*The County Administrative Board's pronouncements guided our work. We have an environment section, although, it is how we have provided for the Board's pronouncements which is important. It depends on, as said, that the Board has the power or the possibility to re-examine or eventually annul the detailed development plan.*

*[Concerning risk for possible silhouette effects as a result of the planned development] No thorough examination was done.*

*Developing the areas of national interest are not strictly forbidden, yet, operations in the environment are allowed if the natural and cultural assets of the area are not significantly damaged, so this is how it is interpreted.*

*The plan is covered by §§1 and 4, although §4 is less interesting in this case.*

*The County Administrative Board did not state that they were against the plan. They could have addressed that the plan opposes the SEC and would be re-examined if it is adopted. Instead, they acknowledged that the plan would not be examined if the geotechnical issues were managed.*

*Many of the plans are adopted by the Building and Planning Committee (now called the Environment and Urban Planning Committee) (...) but this one was adopted by the Municipal Council – who also adopts the comprehensive plan – since we believed that, after all, the plan actually opposed the municipal comprehensive plan.*

## **Appendix 2: Interview Planner B (10 April 2017)**

*The role of a planner in this case [Ödby 1:2] has been to be a link between the County Administrative Board, the municipal Councils, and the private land developer.*

*It is a part of the role [of a municipal planner] to draw up material and make suggestions, but then, it is the politicians who make the decision.*

*[The private consultant] should have given better suggestions from the beginning. A competent consultant should know what is reasonable ... the more points of view from the Municipality and the County Administrative Board, the longer the process, and this is one of reasons for the prolonged process [in case B].*

*We did not believe that the plan went against the regulations for the areas of national interest. Talking about chap. 4 of the SEC, it states that 'tourism' and 'outdoor recreational activities' should be promoted, it does not state that it should be an obstacle - but to be promoted, and this was a tourist facility and it promotes tourism, so this was how we interpreted it. The County Administrative Board changed tack.*

*This area is situated quite close to Hunnebostrand – a society on the other side of the pedestrian bridge. It is stated in chap. 4 [§1 of the SEC] that 'development of existing urban areas' should not be restrained, and if this was seen as a new residential area [the plan area Ödby 1:2], it was a 'development of existing urban area'. But the County Administrative Board could not be convinced to recognise this as 'development of existing urban area'.*

*The intention according to the regulation [chap. 4, §2 of the SEC] is, if the houses are built and consumed by frequent tourism through renting, it is fine. If bought by people who then own them, it is not acceptable. A plan cannot regulate this, this is the concern!*

*As a municipal civil servant [planner] one could have an individual opinion, but then we choose our politicians, who as representatives finally decide the municipality's opinion. I can only suggest this is not wrong and it is how it should be. This is what democracy is. It could be threatening if only the civil servants had all the power, for example, if one [municipal planner] has a friend whom he/she supported!*

*The driving force came from the private land developer, and he had the support of the politicians who were in favor (...). There has been a political consensus behind this [plan]. The idea has been that the land developer's sons will pursue this [the activities in the proposed development] in the future.*

*From the Municipality's side, we believed that the County Administrative Board did not stand by its point of view on the comprehensive plan, but this was our understanding. If you talk to the County Administrative Board, you will hear another version. It was then that the discussion about the significance of the comprehensive plan was taken up. It is not binding like the detailed development plan, but just a guidance.*

*I was hired part-time by the County Administrative Board and the region [probably referring to the region of Västra Götaland] so I have worked with coast and sea planning for a number of years.*

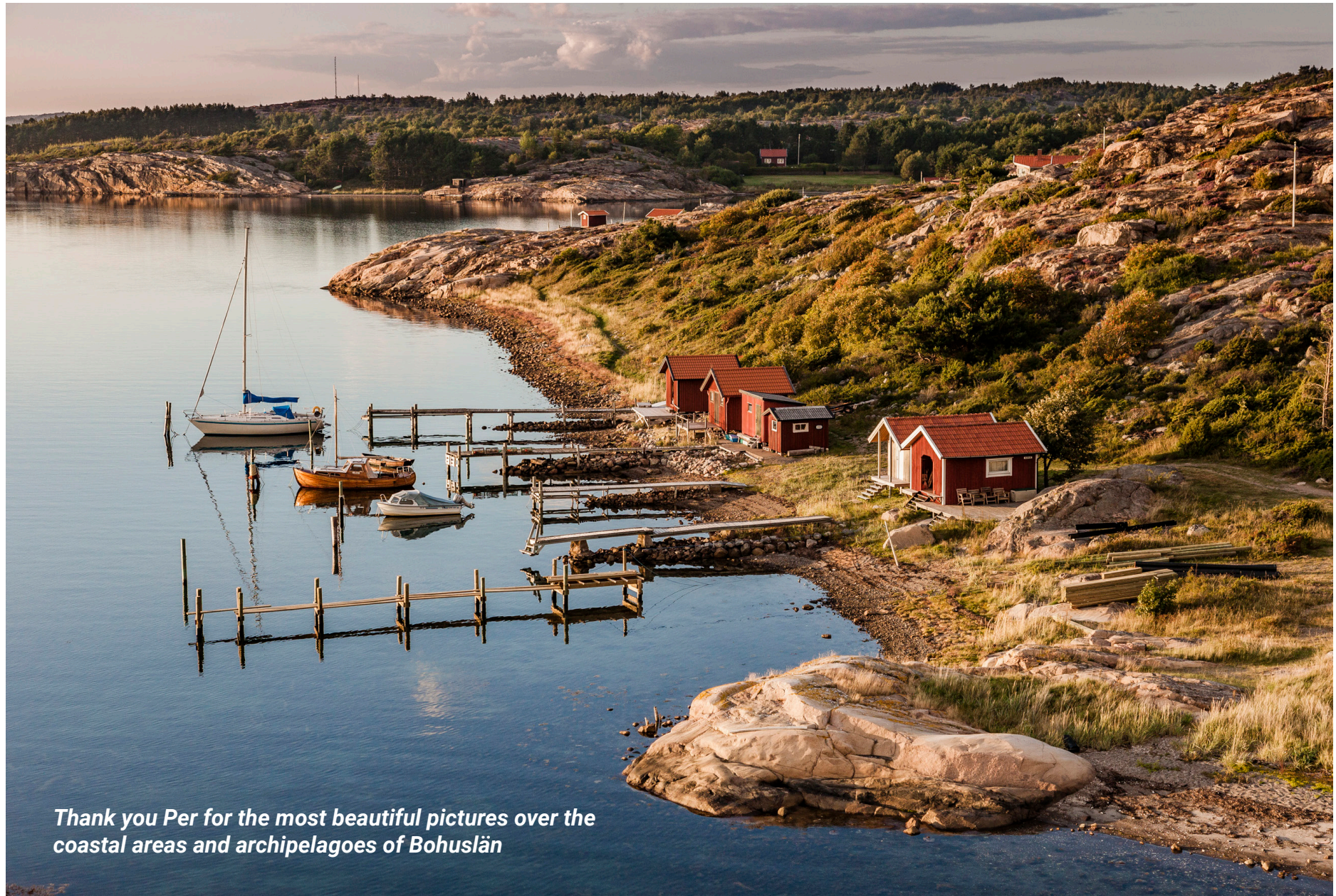
*These are values for the whole nation. I have tried to describe this and to put it into a context. This is an important pedagogical role of a civil servant [municipal planner]. It is important to describe why, in order to create an understanding for the areas of national interest.*

*Since this was not a municipal plan, we could not force him [the private land developer] to produce documents. Change of administrative officials [in the CAB, and in the Municipality] is not common either in many other plan processes. We have had many informal meetings with the County Administrative Board concerning the areas of national interest, but normally this is discussed only in connection with the different consultation stages. Surely this led to the prolonged process as well.*

*We cannot do more than what the plan says [when it comes to preventing privatisation of the discussed holiday homes]. It is when we find out that the dwellings are not being rented out that we know that they are not being used for what they should be used for. What we did was to simply claim this [the plan proposal] as trustworthy. To sum up, the Municipality wants to believe on the land developer's decent intentions for a tourist facility. Additionally, in the physical plan, we made changes and reduced the settlement areas, and increased the passages which the general public could use for walking.*

*I put forward my suggestions to the [Sotenäs Municipality] Council, who also got requests from the land developer, and they probably decided something in between. If I had negotiated, I would not have considered anyone's economy, and yet, the Council have to take other aspects into account, like the business sector, to make a collective judgement.*

*They [VG CAB] still had concerns but finally agreed that the plan [Ödby 1:2] was in line with the regulations for the areas of national interest [according to chap. 4 of the SEC].*



*Thank you Per for the most beautiful pictures over the coastal areas and archipelagoes of Bohuslän*







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