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The planning system in Norway with focus on mountain destinations

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Country profile

Norway, named officially the Kingdom of Norway, is located in northern Europe and it is one of the Scandinavian counties. The area of the country is 385,207 km^2. With a population of 5.4 million, it is one of the most sparsely populated countries in Europe with less than 13 people per km^2. The largest immigrant group is the Polish, with more than 100.000 polish-born immigrants. Norway is long and narrow with a coastline of more than 100,000 km. It is a mountainous country and according to Nordregio (2004) 91.84% of the total country is defined as "mountain municipalities". In 1972 Norway had 20 counties and in 2018 it had 19 counties. From 1. January 2020 more counties merged, so that Norway is now divided into eleven counties.

After a "municipality reform" with the mergers of some municipalities, the number of municipalities has been reduced from 428 (before June 2014) to currently 368. During this process 119 of the municipalities have become 47 new ones. The purpose was to attain a) good and equal sevices across the whole country, b) a consistent and sustainable business development, c) sustainable and economically robust municipalaties, and d) a strengthened local democracy. Now, 106 urban areas in Norway have attained the status of "cities". The largest city in Norway is Oslo (the capital) with more than 700 000 inhabitants (and over 1 million in the metropolitan area) and the smallest with city status is Kolvereid with about 1 700 inhabitants. (In comparison, Asker municipality has close to 100 000 inhabitants but no urbanisation with city status.) The centralization and urbanisation of Norway has been slower than in comparable countries but has acellerated recently. Today about 85% of the population live in urban areas. Also, the public sector has gone through a centralisation process, both regionally and nationally, especially over the last two decades. This has had a negative effect on the rural areas, and the mountain regions in particular (Langørgen, 2007). The objective of the centralisation in the public sector is claimed to be increased quality and efficiency (Direktoratet for forvaltning og ikt, 2018).

At the same time as population and public sectors undergo centralization, a decentralization of responsibilities and political power has taken place, from central to local governments. This has also been part of the restructuring and merging process of municipaplities. The argument forwarded has been that it will strenghten local democracy, self-rule (autonomy), and efficiency. However, the validity of the connection between municipality autonomy and efficiency in supplying services for people has been challanged (see e.g. Rømming, 1999). Moreover, also the municipality as the most efficient level to implement the policies of the central govenment has also been questioned (Rattsø & Sørensen, 1997).

Very little of Norway is agricultural land (3.5%), and the proportion of employment in the primary sector is very low (under 0.8%) (Nordregio, 2004). The tertiary sector accounts for almost three quarters (74.1%) of the national employment. It is noteworthy that the proportion of employment in the tertiary sector is higher (78.2%) in the mountain areas than in the lowlands, illustrating the lack of "export industries" other than primary industries and tourism in most mountain municipalities. A further summary of general information about Norway is provided in Table 1. Figure 1 illustrates how the built-up land (urban areas), which constitute a very small proportion of Norway's surface area (0.88%), is highly concentrated to the lowlands, coasts, and valleys, with a very small population in the mountain regions.

Table 1. General country information

Name of country	Norway
Capital, population of the capital	Oslo 707,531 (3rd quarter of 2022 – municipality) 1,050,000 (estimate 2022 – metro area)
Surface area	323,810 km^2 (mainland Norway only)
Total population	5,475,240 (3rd quarter of 2022)
Population density	16.9 inhabitants/km^2
Population growth rate	0.44% (2021); 0.74% (2020); 0.62% (2019)
Degree of urbanisation	82.67% (2022); 81.41% (2021)
Human development index	0.961 (2021) HDI rank = 2
GDP	EUR 435.5 billion (2021)
GDP per capita	EUR 83,863 (2021)
GDP growth	4.2% (2021); –2.5% (2020)
Unemployment rate	4.4% (2021); 4.6% (2020); 3.7% (2019)
Land use (NIBIO, 2022)	22.74% productive forest 10.32% unproductive forest 6.10% inland waters 3.5% agricultural land 0.88% built-up land

Table 1 (cont.)

Sectoral structure	(2021 estimate) 58.4% services and administration 39.9% industry (whereof 14% oil and gas) 1.6% agriculture, forestry, and aquaculture

Source: author's own elaboration based on statistics from "Statistics Norway" (SSB) and "Norwegian Institute of Bioeconomy Research" (NIBIO).

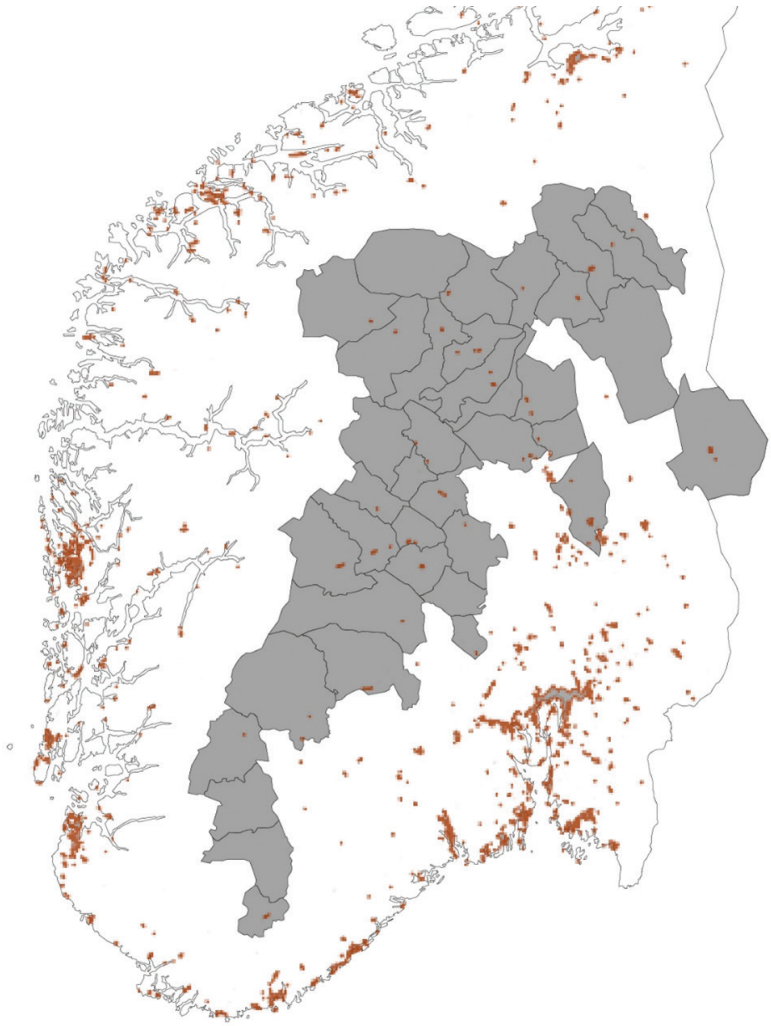

Figure 1. Southern Norway with the 39 municipalities (shown in grey) comprising the main mountain region of south-eastern Norway, as defined by Flognfeldt and Tjørve (2013). Built-up land (urban areas) is shown in brown (with gray cores for the largest cities)
Source: author's own elaboration with data from Statistisk Sentralbyrå, SSB (Statistics Norway).

The central goventment has recently tabled a separate strategy for the development of mountain- and inland regions, including energy, bio-economy, food production, and tourism (Kommunal- og moderniseringsdepartementet, 2021). Here, the government promises to improve the conditions for a "greener, smarter and more including tourism industry", in order to create a sustainable sector that is able to compete. Second homes are also an important part of the local tourism industry, and the government wishes to map the plans and potential for second-home developments and to forward an updated guidance for the planning process of such developments. Moreover, the govenment sees that there will be growing comptetion between stakeholders, also other stakeholders than the actors within the tourism industry. Stakeholders such as agriculture, reindeer husbandry, nature conservation, and renewable energy are mentioned.

Control and the administration of land use is a central element in spatial planning (Buitelaar et al., 2011). In Norway, the municipalites and their local governments are the most important planning authorities which are responsible for the development of the local community. Therefore, they have been given wide concessions through the legal regulations of spatial planning. However, the central government (Kommunal- og moderniseringsdepartementet, 2021) notes in their new mountain-strategy document that provisons have been made for the central govenment to better to be able to raise objections to specific plans when needed, in particular in regard to national and regional considerations.

Legal regulations of spatial planning in Norway

This text focuses more on the reality of spatial planning in Norway, or beyond what is expressed as political goals and governmental strategies. The latter are often less reflected in the actual planning, which has taken place, and it has less bearing on the real sustainability of the direction taken. The legal regulations of spatial planning in Norway is mainly comprised of the Nature-Diversity Act (NDA), the Mineral Act (MA), and the Plan- and Building Act (PBA). These also represent the legal measures to attain sustainability.

Protected land, such as national parks, nature reserves, and landscape--protection areas, are managed under the Naturmangfoldloven ("Nature-Diversity Act"), previously referred to as "Naturvernloven", and the county is the managing authority. The remainder of the areas are managed by the the local govenment, meaning the municipality council and its administration, but with the regional autorities, meaning the county governements as advisors and with the right to object to plans that are presented. Some have asserted that it is unfortunate that

the mountain areas are managed by two different authorities and at two different governmental levels (Skjeggedal et al., 2011).

In Norway, most of the spatial planning takes place in the municipalities, which is the lowest level of public administration in Norway. These local govenments are not only responsible for the permissions to build, but also to regulate other types of land use and concessions in areas that are not protected (and thus managed by a higher authority). The present Norwegian planning laws are considered to fall into the group referred to as the "Scandinavian Family" of planning laws, which are characterized by being flexible with a relatively high degree of independence at the local level (Newman & Thornley, 1996, p. 39). However, compared to that of other Scandinavian countries, the Norwegian legislation differs somewhat in that it is more discretionair, meaning that the planning autority is less bound by legal restrictions and can rely more on own asseessment when making planning decisions (Holsen, 2017). Moreover, the Norwegian legislation opens for anybody to propose private development plans, which the local authorities are obliged to evaluate (Røsnes, 2005, p. 38). In the case of mountain destinations such private plans may be in the form of a master plan developed by the destination-management organisation (DMO) or a plan from a private developer for the building of new second-homes on a property. With a more neoliberal planning culture, the market has taken over most of the actual planning process, and voluntary planning agreements entered as instruments for the implementation of development plans. Initially, these agreements were not regulated by law, and act partly as a substitute and partly as a supplement to the plan- and building act, but from the turn of the millennium, such agreements have become more binding for the developer (Rasmussen, 2007, p. 334).

In addition, destination-management organizations (DMOs) have often developed their own spatial development plans, typically a mountain destination centered around a ski area with ski lifts. Such masterplans have no legal basis but have often been followed up in sub-plans to the spatial plan for the municipality. In the last couple of decades DMO master plans have become less common, as the DMOs have started to hold a weaker position in the planning and management of mountain destinations i Norway. Corporatisation of destination ownership also has resultet in the dismantling of DMOs.

The first laws for building and physcal planning, such as that of 1924, only applied to urban areas. The first law that applied not only to built-up areas but to the whole country, even the mountains, came in 1965. After that, all buildings and other developments had to get permission from the building authorities in the municipality, and the municipality was instructed to work out a spatial plan for the whole municipality, though the plan had to be approved by the regional and national authorities. The munipality was also asked to fund a planning board. Thus, this was the first planning law to introduce a national system for physical planning. The plan- and building act of 1965 brought along the need for skilled

physical planners in Norway's then 451 municipalities, and the first professorial chair of spatial planning was established in 1967, with the first training course the same year (Edvardsen, 2017).

With the new plan and bulding act of 1985, spatial planning became increasingly important. Several parts of the protocol for spatial planning was revised, but the major change was that municipalities now got the manage to approve the spatial plans themselves. The county and national level instead got the right to object, and the national government has the last word, if no agreement is reached. Thus, a municipality cannot approve a development or land use that the national govenment has opposed (Bugge, 2011).

There was still a strong belief in a national control with spatial planning locally and regionally. This was an expressed goal of coordination between national, regional (county) and local (municipality) plans, to balance and resolve the conflict between the demand for areas to develop and the increased need to protect the environement and secure natural resources (Holsen, 2017).

The newest planning- and building law from 2008 has an even greater focus on the spatial planning of rural and urban areas, mirroring the increased interest in developing these areas for production and recreation (Rønningen & Flemsaeter, 2016). With the new plan- and building act of 2008, which is still the one in use, the county councils were given a particular responsibility for guiding the municipalities in their planning through dedicated planning fora, though the organization and functioning of these has varied considerably (Langseth & Nilsen, 2015).

Long-term strategy for spatial planning (in the mountains)

The plan- and building act is today the main tool for physical planning in the mountain regions. Until 1965, there had been no building- or spatial planning law in Norway for rural areas. After the Second World War the building of cabins in the mountains increased rapidly. Erecting a builidng in the mountains was solely a matter between the landowner and the one who wanted to build, for example a cabin. Consequently, the cabins spread out over the mountains without plans or any control. In this period about 10 000 cabins or second homes were errected every year, which is double that being built now. Soon, the maps of mountain areas, showing cabins, began to look like somebody had shot at them from a distance with a shotgun. It was obvious that this would soon have severe consequeces both for the nature and for leisure- and tourism activities in the Norwegian mountains. Therefore, with the 1960s also came a growing interest in

land use and the planning of the building activity in the mountains. Leading up to the new bulding- and planning act of 1965, the central government established Fjellteamet (the "Mountain Team"), a team of experts and researchers, with the task to develop models for building and developments in the mountains. Their contribution was published in the form of a book edited by Sømme and colleagues (1965) and it forwarded several models for spatial planning in the mountains. It was the increased development of cabins and tourist destinations that had created a push for nature protection and regulation of developments in the mountains. The "Mountain Team" saw the need to encourage leisure and the tourism industry in the mountain regions, but not without taking nature and landscape into consideration. Firstly, they wanted to curb the unrestrained building, puncturing every undesturbed expanse of mountain nature. One important object was to prevent much building of cabins above the tree line. The alpine zones (above the tree line) are especially attracative for hiking and skiing, and built-up structures are paticularcly visible having a negative affect on the experence. The Mountain Team also emphasized the importance of setting aside recreational areas and open spaces, even within a cabin- or second-home development.

The plan- and building act of 1985 continued the belief of a strong national control with the regional and local govenrments, for a sustainable, long term management of natural resources (see e.g. Holsen, 2017). The objective was therefore to be able to control and coordinate the spatial planning between the national, regional, and local levels (see e.g. Kleven, 2011). However, this polital view changes gradually, and later strategy documents commissioned or prepared by the central government have, to a lesser degree, promoted sustainable principles for the building of second homes and tourism infrastructure in the mountains and they convey no clear direction for spatial planning in the mountain region (Skjeggedal et al., 2011). Skjeggedal et al. (2011) note that in later years the focus has mainly been to accommodate the leisure and vacation needs of the urban population. Accordingly, the government's guide to the spatial planning of second-home developments provides no advice or directions to how these should be planned and developed to best contribute to the local community (Miljøverndepartementet, 2005). The government commisioned a report to identify status and challenges as a basis for a revision of the planning guide for second homes in the mountain regions. The report (Norsk Turistutvikling & Rambøll, 2018) was published three years ago, but a revision of the planning guide is still wanting. Here, new themes for the new guide are suggested, whereof one is sustainable development.

In 2003 the Stortingen ("Norwegian Parliament") forwarded a proposition (St. prp. nr. 65 2002–2003) referred to as Fjellteksten (the "Mountain Text"), which emphasizes a sustainable use of the mountain areas, especially for tourism. The plan and building act of 1965 had reflected a strong faith in strict governmental control with the physical as well as economic development of Norway, in order

to build the country in the aftermath of World War II (Holsen, 2000; Kleven, 2011). The direction in the Mountain Text, however, forebodes a movement in policies towards a deregulation or a more liberal use of the mountains, which becomes evident in the new plan- and building act of 2008. The plan- and building act of 1965 had had very little focus on the environment, neither had the law of 1985. With the law of 2008, sustainable development becomes the new mantra. It is said that this law is to promote a sustainable development for the good of everyone, the community, and future generations. However, there are very few references to environmental issues or instructions regarding such to be found in the new law.

Moreover, in the 1970s and 80s the locals were much more sceptical, or even hostile, towards developments in the mountains, especially second homes, but this attitude has gradually weakened or even changed to a positive one. The more positive outlook on the new planning of developments in the mountains has also contributed to the changes in the spatial-planning regime in rural municipalities (Ellingsen & Arnesen, 2018). One has, on the other hand, in the last two decades seen a considerable increase in land protection in the mountains, in the form of new or extended national parks and landscape-protection areas. These types of land-protection areas, however, are planned, established, and managed by the regional and central governments.

Public participation in spatial planning

The development of neoliberalism in strategic planning is seen in Norway as well as in other countries (Olesen, 2014; Davoudi, 2017). Though this was first described as a change in the urban planning process, it seems to hold also in rural and mountain regions. We see that private developers forward their own plans for second-home developments and ski slopes, for the local governments to decide on, with the municipality being willing to make concessions to attract investments.

We see a distinct shift towards more a private intitiative in spatial planning in Norway. This is a consequence of the decentralization of power to the local level combined with a shared responsibility between public actors and private actors, as well as a more liberal planning processes, also seen in other countries, where private planning has gained wide acceptance in mountain regions and especially at mountain resorts (Lasanta et al., 2021). It has caused a trend towards deregulation, also in Norway, where the developing interest more often wins over the environmental considerations. Moreover, in this neoliberal planning culture,

the planning process has occurred piece-by-piece; the view of the greater whole is lost (Saglie & Harvold, 2010).

The plan- and building acts have mainly been designed for the implementation of public planning, and less for the later practice where the planning process has been left to the market, and where the market in reality carries out most of the planning process, also in detail (Fimreite et al., 2005). One may question if the current plan- and building act is suited for this new situation, where private planning has gained wide acceptance, and whether it provides the neccessary instruments for governing today's setting. The old system of leagally binding spatial plans has been replaced by new types of plans adjusted to a market-driven planning system, but which do not function as a stragic tool for managing land use and development (see also Mäntysalo et al., 2015; Lasanta et al., 2021). Consequently, long term planning, both urban and rural, has crumbled and is replaced by piece-by-piece decisions resulting from private plans and a belief in a free market. Holsen (2017) notes that the new market-driven planning has resulted in a planning system outside the planning legislation. The present planning legislation is well suited for stategic planning but is less suited for coordinating a plethora of smaller privately initiated plans and developments (Holsen, 2017).

Also, with increased interest for development in the mountain region the last couple of decades has seen new actor groups arrive on the planning scene, making the the old conflict of interest between production and recreational use of the countryside even more visible (Teigen & Skjeggedal, 2015).

Main challenges of spatial planning of tourism destinations

The larger tourist destinations in the mountains of Norway are mainly situated within two-and-a-half hours drive from the main population centra; the Oslo (or Oslo-Fjord), Bergen, and Trodheim areas. A travel distance of three hours is considered the outer limit for weekend travel (see e.g. Arnesen et al., 2002, 2018). Most of the mountains in southern Noway lie within three hours drive or 200 km in air route (Figure 2) from one of the major urban areas. However, the preferred travel distance is decreasing, and many of the municipalities further away do not have the same opportunities to develop traditional and second-home tourism. This is reflected in the estimated number of new second homes to be built, where we see that the mountains nearest to the large population centra are expected to have the greatest number of second homes, which often outnumbers the number of permanent homes (Figure 3).

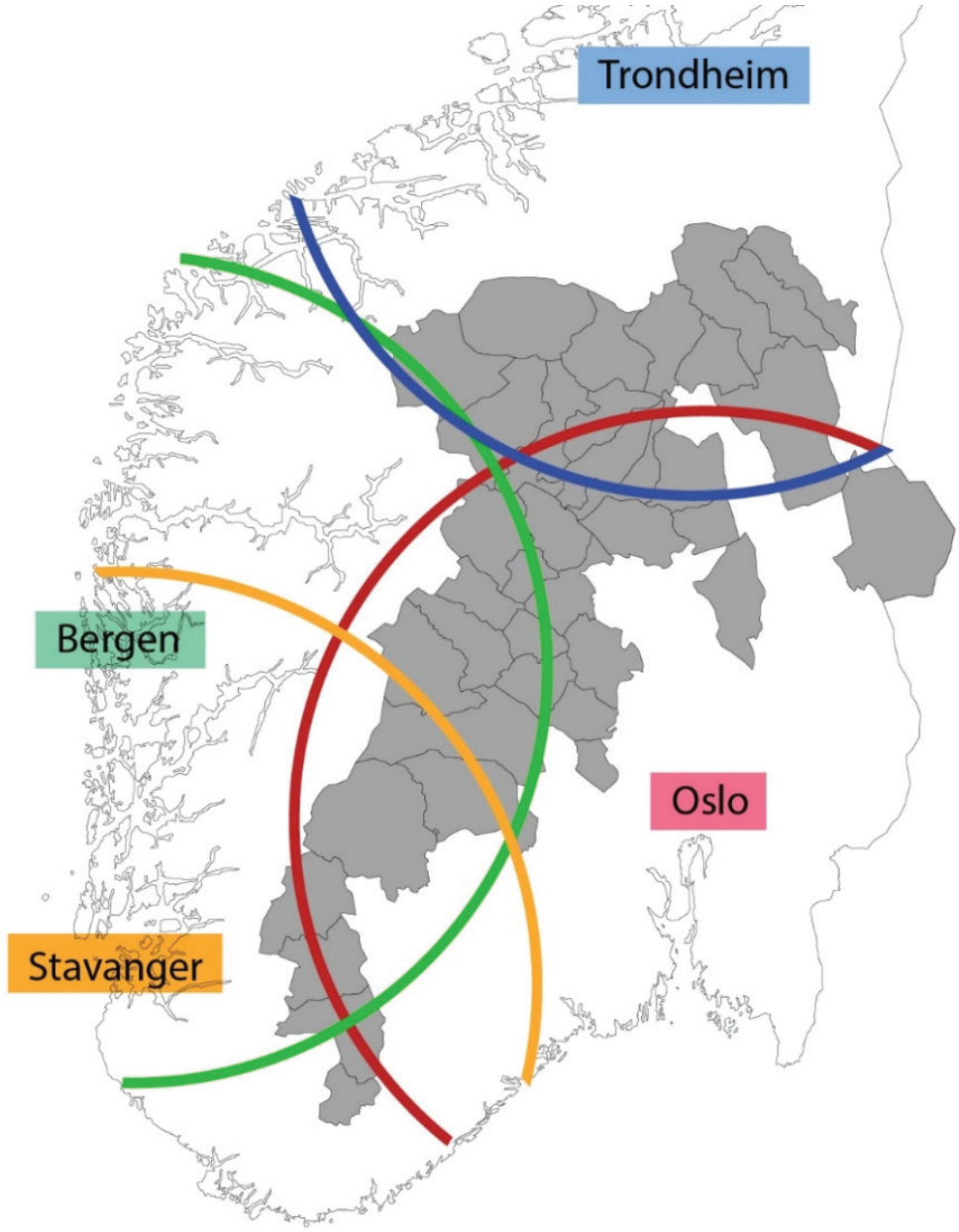

Figure 2. All municipalities in the main mountain region of south-eastern Norway (Flognfeldt & Tjørve, 2013), lie within 200 km (air route) from four main cities in Norway: Oslo, Bergen, Tronheim, and Stavanger, meaning that all mountain destinations in this region are within the weekend distance from the major urban areas in southern Norway
Source: author's own elaboration.

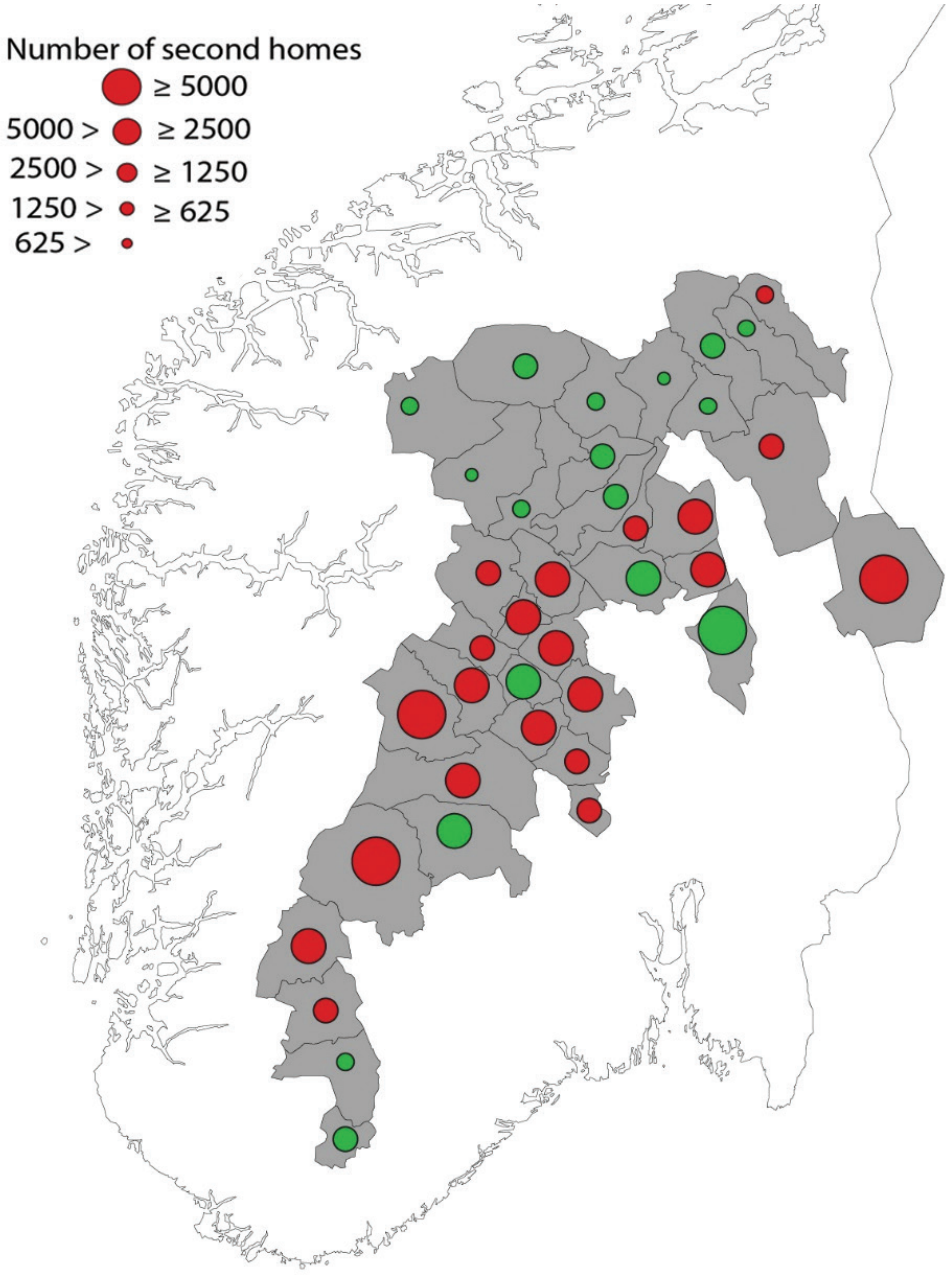

Figure 3. The 39 municipalities of the mountain region of south-eastern Norway has more than 100 000 second homes, mostly centred around mountain destinations and ski resorts. The red circles are for municipalities where there are more second homes than permanent homes and green circles are for municipalities where there are fewer second homes than permanent homes
Source: author's own elaboration data from SSB (Statistics Norway).

In addition to the issues raised above, as the old conflict between production and nature values, a number of new challenges have arisen in the spatial planning of mountain areas, and mainly those of tourist destinations and second-home developments. Historically there has been a conflict of interest between production and recreation in the mountains. Mountain tourism has in many ways stood on both sides of this conflict. On the one hand, second-home- and destination development demands the consumption of new areas, and on the other hand, the attraction "sold" to the tourists is recreation in unspoiled nature.

One obvious challenge is that of increased privatisation of the mountains. The expanding destination sprawl and second-home agglomerations represent a de facto privatisation of wilderness or nature (Ellingsen & Arnesen, 2018). In most second-home developments, it is only offered fixed point ground leases. This means that the property not only has a lease with a yearly rent, but also that the second-home owner does not have exclusive rights to the plot. The farmers still have the right to pasture, and the area still has the status as outlying land, retaining Allemansretten (the traditional Norwegian right of way), meaning that anybody can move freely between the second homes. In reality, however, people will not do so, meaning that the area in the development is lost as nature for recreation or tourism. Moreover, in areas with second homes, conflicts often develop between the second-home dwellers and owners of pasturing animals, typically cattle, sheep, or reindeer, or other agricultural- and logging interests (see e.g. Arnesen et al., 2012). This type of conflict has been increasing rapidly in many parts of the mountains, between the recreation tourists from urban areas and locals, who use the mountain areas as part of the resources for their farming. The conflict from pasturing of farm animals within the destination or between the cabins in developments is especially severe where second-home developments have grown into big sprawls covering the old summer-farm landscape and far beyond.

Another challenge is the puncturing of continuous wilderness or natural areas. In the discussion of where to place second-home developments, an important argument has been a just distribution of developments between landowners, who mostly are farmers who have use for extra incomes. Consequently, the municipality has allowed the planning of new developments according to who owns the land, rather than environmental or other arguments. The result has been a large number of developments, spread out to puncture large expanses of undisturbed wilderness. The guide of 2005 for the planning of second homes, however, calls attention to a sustainable use of areas rather than a "just" distribution between landowners (Miljøverndepartementet, 2005). This is primarily a conflict between the private developers (which may very well be locals) and the tourists and second-home dwellers who stand to lose the nature where they recreate.

However, this is not only a conflict about unspoiled areas and the protection of nature- and biodiversity. The big mountain destinations or second-home agglomerations also require water, which can result in proposals to expropriate

lakes or other water resources to secure the supply. Not only housing, but also snow production requires large quantities of water. This may cause conflicts with landowners, those with fishing rights or others who use waterways for recreation.

The consumption of other resources such as electricity, fossil fuels, and building materials, as well as the emission of greenhouse gases, are other issues. The mountain resorts and ski destinations require large quantities of energy. Moreover, the huge number of second homes also requires large power supplies, rendering it impossible for local communities to develop more environmentally friendly energy policies (Taugbøl et al., 2000). Facing increasing climate change and global warming, the production of artificial snow may cause ski resorts and mountain destinations to become even greater energy sinks.

The relocation of infrastructure and development may also arise as challenges. Climate change may cause changes in the location ski lifts and alpine areas, because of warmer climate and shorter winter seasons in lower altitudes. Another example of relocation issues is the centralising trend in mountain destinations which may cause commerce (trade and services) to move the community centre upwards in the direction of the tourist destination, causing a community centre shift (Ellingsen & Arnesen, 2018).

There is a host of other challenges that deserve attention, all of which affect the ecological, economic, and/or sociocultural sustainability. The purpose of the current project is to identify, shed light on and discuss how to resolve sustainability issues. The list of such is undoubtedly much longer than the issues mentioned here.

Summary

Summarizing, the biggest challenges of spatial planning for tourism destinations and second-home devopments in the mountain regions in south-eastern Norway are the:

- conflict between production and protection of nature;
- private planning replacing public planning;
- lack of competence and capacity for planning at the municipality level;
- the present plan- and building act being partly outdated and unable to function as a regulatory tool in a planning regime increasingly handed over to the private and market forces, causing a piece-by-piece deveopment of mountain areas with no totallity in the planning;
- two regimes for planning and management, one for protected land (where the county is the authority) and for other land areas (where the municipality is the authority);

- more private planning combined with lack of competence and capacity at the municipality level has fueled a neoliberal planning culture where the role of local and regional governments has gone from governance to governmental assistance to stimulate development (Fimreite et al., 2005);
- lack of planning at the local level prevents the development of stategies adapted to the location and conditions for tourism development in the municipality (for example, taking considerations such as distance to markets and the location and extent of commerce and services in the local community). This seems to affect the market for second homes in particular (see Figure 2 & 3).

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