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Spatial planning in border regions: A balancing act between new guiding principles and old planning traditions?

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Page 77 to 95

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SPATIAL PLANNING IN BORDER REGIONS: A BALANCING ACT BETWEEN NEW GUIDING PRINCIPLES AND OLD PLANNING TRADITIONS?

Contents

Abstract

This chapter presents the foundations of spatial planning in the sub-regions of the Greater Region and the Upper Rhine region. It provides a picture of current developments concerning the guiding principles for spatial development and introduces the existing spatial structures of these border regions. Furthermore, the planning systems in Belgium (Wallonia), Germany, France and Luxembourg are described, and differences are identified that necessitate ongoing discussions between the partners about planning traditions and (new) strategies of spatial development.

Keywords

Guiding principles for spatial development – planning systems – Greater Region – Upper Rhine region – cross-border cooperation

1   Guiding principles for spatial development in Germany – in a cross-border context?

This chapter is devoted to the embedding of cross-border cooperation in (national) spatial development strategies, in the sense of 'basic principles of spatial planning' – initially from the perspective of current developments in federal spatial planning, followed by a comparative analysis of the planning systems in the Greater Region and along the Upper Rhine.

As mentioned in the chapter on 'Development paths of cross-border cooperation', Germany borders on nine European countries, which accounts for the diversity of the border areas that Germany shares with its neighbours. In this context, the question arises of whether and to which extent cross-border cooperation activities are embedded in current developments in federal spatial planning.

The publication of the Spatial Planning Policy Guidelines for Germany (*BMBau* [German Federal Ministry of Spatial Planning, Construction and Urban Design] 1993) launched the discussion about a strategic orientation of spatial planning in Germany with a more pronounced focus on the coordination of spatial planning policies than on comprehensive, overall control (Aring/Sinz 2006: 44). This discussion did have an impact, e.g. on the recasting of the Federal Spatial Planning Act *(Raumordnungsgesetz)* in 1997, when 'Guiding principles for spatial development of the federal territory or of conditions spanning across the federal states' were introduced pursuant to section 18(1). However, the intensive discussion about the (new) guiding principles for spatial development in Germany reached a broader expert and political public only in the first half of the 2000s.

This was in part due to the fact that the guiding principles offensively addressed the particular challenges of spatial development and in so doing purposefully created focal points. According to Aring/Sinz, this meant that the focus was now explicitly on policy tasks instead of spatial categories (Aring/Sinz 2006: 48). The guiding principles were intended to give consideration to key policy issues, such as promoting growth and competitiveness, changes to the social state, the equivalence of living conditions or the integration of the needs and circumstances of the new (Eastern) federal states (*BBR/BMVBS* [Federal Office for Building and Regional Planning/Federal Ministry of Transport, Construction and Urban Development] 2006: 37). In the public discourse, the notion of the 'European metropolitan region' in particular, as a response to the European Lisbon Strategy (European Commission 2000) for economic growth and competitiveness led to sustained controversial discussions in Germany.

Three strategic concepts were adopted by the Conference of Ministers for Spatial Planning *(Ministerkonferenz für Raumordnung, MKRO)* on 30 June 2006 (*MKRO* 2006): 'growth and innovation', 'ensuring services of public interest' and 'conservation of resources, shaping of cultural landscapes'. From the perspective of the Conference of Ministers for Spatial Planning, these concepts presented for the federation and the federal states 'a common orientation which satisfies the requirement of sustainability while at the same time being in line with the European concept of territorial

cohesion' (*MKRO* 2006: 30). The guiding principles were updated in 2016, at which time they were substantively developed further and supplemented with current topics (MKRO 2016). This further development also related to the perception of the border regions and how to address them (see Hartz's paper in this volume).

The process of developing the guiding principles assisted the strategic management of spatially relevant topics and created a new impetus at many levels, even where there had been gaps in the discussion and development process in the past. These gaps unquestionably included the border regions: the guiding principles remained consistent with an internal German perspective. This is particularly reflected in regard to the cross-border interactional areas (Hartz/Damm/Köhler 2010). The resolution of the Conference of Ministers for Spatial Planning on the guiding principle of 2006 already notes that the 'evolution and refinement of the concept of "European metropolitan regions in Germany", also including cross-border metropolitan spheres of influence of European significance' should be pursued (MKRO 2006: 31). This approach is also reflected in the intervention by the Initiative Group of Metropolitan Border Regions *(Initiativkreis Metropolitane Grenzregionen, IMeG)* established in 2010 (see Hartz's paper in this volume): the metropolitan border regions were included in the further developed spatial concept map on competitiveness (MKRO 2016; see Hartz's paper in this volume). Thus Germany caught up with its neighbours, France and Switzerland, which had already included the border regions in their national spatial development strategies early on. Hartz/Damm/Köhler, however, point out that these approaches remained limited to the narrower territorial boundaries of cross-border agglomerations and did not relate to large-scale cross-border interactional areas (Hartz/Damm/Köhler 2010: 505).

In addition, the newly adopted guiding principles clearly reiterate the European dimension of spatial development in Germany: 'The territorial cohesion as an objective of the European Union was laid down in the Treaty of Lisbon together with economic and social cohesion. This means for Germany to make use of the opportunities inherent in the infrastructural advantages due to its location at the centre of Europe. And it also necessitates a more intensive cooperation in functional and cross-border regions, for example in maritime and coastal areas or in the form of urban-rural partnerships with public and private stakeholders' (MKRO 2016: 3).

2   Spatial structures and planning systems in a cross-border context between Germany, France, Belgium, Luxembourg and Switzerland

The regions in question, the Greater Region and the Upper Rhine Transnational Metropolitan region, are border regions which are also discussed in connection with the concept of metropolitan border regions (see Hartz's paper in this volume).

The following section will not provide a detailed structural analysis of these regions; instead the focus will be on spatial planning. In particular, the different planning systems in the countries involved – Belgium, Germany, France, Luxembourg and Switzerland – will be briefly characterised.

Spatial context of the Greater Region

The Greater Region is the most recent territorial structure in the German-Belgium-French-Luxembourg border area, the precursors of which featured different spatial boundaries and constellations, such as the informal forms of cooperation in the SaarLorLux area (see the paper by Hartz and Caesar in this volume).

The respective national sub-regions vary significantly in their dimensions. This is due to the political and administrative context of the region in question, which ranges from the entire territory of the Rhineland-Palatinate up to Saarland with its much smaller area. Different spatial dimensions are not a problem as such, as the numerous border regions show. However, considering the current challenges that this border region faces, such as demographic change, it is clear that the trends occurring in individual national sub-regions of the Greater Region differ greatly – from strong population growth in Luxembourg to significant population decline in Saarland and Western Palatinate.

A further aspect that illustrates existing disparities in this region is the economic power of the city and state of Luxembourg, which is clearly distinct from the other parts of the region.

The specific challenges of border regions have already been described in the paper by Caesar and Pallagst; they are also characteristic of the Greater Region and have emerged over decades. Key aspects in this respect include but are not limited to the following:

> Polarised economic, social and demographic development.

> Polarised settlement structures, which is particularly apparent in the opposite developments in Luxembourg and in rural areas of Lorraine, Saarland and Rhineland-Palatinate.

> Disparities in the transport infrastructure and traffic flows, which are manifest in the high commuter incidence in Luxembourg City and illustrate bottlenecks in public transport systems in particular.

> The requirements and needs for social infrastructure, particularly in education and in connection with cross-border schools.

These challenges can impair the economic, social and ecological attractiveness of the Greater Region and can also lead to a reduction in the quality of life. Spatial planning, with its strategies, instruments and processes, can coordinate, steer and guide (sectoral) policies and stakeholders to counteract these risks and at the same time improve the exploitation of the opportunities and potentials of the border region.

Spatial context of the Upper Rhine

The Upper Rhine region is a cross-border region, which is connected through the natural area of the Upper Rhine valley. It comprises Alsace in France, which has become part of the Grand Est region in the wake of territorial reform, southern and

central Baden and the southern Palatinate region in Germany, as well as the Swiss cantons Basel-City, Basel-Country, Jura, Solothurn and Aargau (see the paper by Hartz and Caesar in this volume).

Overall, the area exhibits a high settlement density and strong economic development, which is shaped by the polycentric metropolitan structure with its centres in Basel, Colmar, Strasbourg, Freiburg and Karlsruhe. Moreover, this area is also home to important transport corridors of European significance, which ensure excellent connections to the European transport network. According to the current Upper Rhine INTERREG programme, the challenges facing the region include the still divisive impact of the border as well as environmental protection (ERDF 2014).

Planning systems in the border areas covered by the Regional Working Group

Due to the differences in their state and administrative structures, the four countries involved in the Greater Region have also developed different planning systems. Planning categories are allocated to the relevant planning levels, e.g. development corridors, strategic documents, informal plans and programmes, binding planning documents, local bye-laws, etc. (Pallagst, currently in peer review).

Belgium		
Planning level	Institution	Programme, plan
National	-	
Federal state/ region (Wallonia)	Directorate-General of Planning, Housing, Heritage and Energy (*Direction générale opérationnelle de l'Aménagement du territoire, du Logement, du Patrimoine et de l'Energie [DGATLP]*)	Regional spatial development perspective (RSDP) (*Schéma de développement de l'espace régional [SDER]*)
Local authority	Directorate-General of Planning, Housing, Heritage and Energy	Sector plan
France		
Planning level	Institution	Programme, plan
National	Ministry of Housing and Territorial Equality (*Ministère du logement et de l'égalité des territoires*)	Territorial Development Directives (*Directives Territoriales d'Aménagement [DTA]*)
Region	Regional Council (*Conseil régional*)	Regional planning and development scheme (*Schéma régional d'aménagement et de développement du territoire [SRADDT]*)
Local authority	Public entity for intermunicipal cooperation (*Établissement public de coopération intercommunale*)	Territorial Coherence Programme (*Schéma de Cohérence territoriale [SCoT]*); Urban mobility plan (*Plan de déplacements urbain [PDU]*); Local urban development plan (*Plan local d'urbanisme [PLU]*)

Germany		
Planning level	**Institution**	**Programme, plan**
National	Federal Ministry responsible for spatial planning; Conference of Ministers for Spatial Planning	Guiding principles for spatial planning (*Leitbilder der Raumordnung*)
Federal state[1]	The highest federal state spatial planning authority (ministries of the federal state)	Regional plan
Region	Regional planning association (*Regionale Planungsgemeinschaft*)	Regional plan
Local authority	Planning office (*Planungsamt*)	Urban land-use planning (preparatory land-use plan, binding land-use plan) (*Bauleitplanung*)
Luxembourg		
Planning level	**Institution**	**Programme, plan**
National	Department of Spatial Planning (*Département de l'aménagement du territoire [DATer]*)	Spatial planning framework programme (*Programme directeur d'aménagement du territoire [PDAT]*): Integrated national development programme; integrated transport and spatial development concept for Luxembourg (*Integratives Verkehrs- und Landesentwicklungskonzept für Luxemburg [IVL]*)
Local authority	Planning office (*Planungsamt*)	Land-use plan (*Plan d'occupation du sol [POS]*); general municipal land development plan (*Plan de l'aménagement général (PAG)*; partial municipal land development plan (*Plan de l'aménagement particulier [PAP]*)
Switzerland		
Planning level	**Institution**	**Programme, plan**
National	Federal Office for Spatial Planning (*Bundesamt für Raumplanung*)	Programmes, master plans
Canton	Planning office of the canton (*Planungsamt des Kantons*)	Spatial development strategy through the cantonal development plan (*kantonaler Richtplan*); cantonal land-use plans (*kantonale Nutzungspläne*) for strategic tasks

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1   In Saarland, federal state spatial planning and regional planning are combined in accordance with its two-tier administrative structure.

Local authority	Planning office (Planungsamt)	Municipal development plan *(Kommunaler Richtplan)*; land-use master plan (zoning plan) *(Rahmennutzungsplan [Zonenplan])*; binding land-use plans (special building regulations) *(Sondernutzungsplan [Sonderbauvorschriften])*

Table 1: Overview of the planning systems in Belgium, France, Germany, Luxembourg and Switzerland / Source: The authors, 2015

Table 1 provides a general overview of the existing planning systems in the Greater Region and the Upper Rhine region. The comparison illustrates that the planning processes take place in the context of very different administrative systems, with evident discrepancies between the respective institutions and the range of formal instruments.

In addition to the existing planning levels and planning instruments, the planning systems have characteristic features that permit a brief typology:

> Belgium: The Belgian planning system is characterised by the duality of the Flemish and Walloon planning system. As far as the Greater Region is concerned, the Walloon planning system applies, which operates at the regional and local level.

> France: French planning processes are traditionally based on regional development strategies, i.e. the *aménagement du territoire* and on local planning activities at the municipal and intermunicipal level.

> Germany: In accordance with its federal structure, Germany has a multi-level planning system that covers the territory of each level concerned. The planning documents at the federal state and regional level are legally binding in relation to the respective subordinate level, which must adapt its plans accordingly (*Anpassungsgebot*).

> Luxembourg: As a small country, Luxembourg has a comprehensive planning system, which essentially applies at the national and municipal level.

> Switzerland: The planning system in Switzerland, a small country, is characterised by local, regional and cantonal structures.

This results in partially different but partially comparable challenges, tasks and objectives for spatial planning:

> As far as Belgium is concerned, the challenges include containing suburbanisation processes and steering polycentric development.

> In France, with its centrally structured state, attempts to mitigate the disadvantages of the central settlement structure have been pursued for many years. Moreover, there are challenges in regard to the steering of land-use development, which also includes the containment of suburbanisation.

> In Germany, planning is confronted with the task of addressing the spatial consequences of demographic change and the resulting aging society. Other challenges arise from the implementation of the energy transition, the safeguarding of equivalent living conditions and in this context from the protection of the polycentric settlement structure.

> As a growth hub, Luxembourg must manage the further urban expansion of the urban centres, particularly Luxembourg City, which includes the provision of residential space and a solution for the increased traffic volume caused by this growth. Steps to this end include decentralisation (southern region and Nordstad).

> In Switzerland, with its highly developed economy and high level of prosperity, there is a high demand for land use due to the limited space available for settlements.

To adequately address the spatial demands and to safeguard the quality of life, spatial planning supports certain paradigms; these are typically formulated in normative sets of rules and establish the basis for planning policies in each country concerned (Pallagst 2013). This also applies in the countries that participate in the relevant border region (see Table 2).

Interestingly, it can be observed that despite the differences in the planning systems and the planning challenges, all aforementioned planning paradigms essentially aim to achieve the overarching objective of sustainable (spatial) development, which reflects a European, indeed even an international consensus in this field. Since the 1990s, sustainability has been a key component of spatial planning, which bridges social and spatial concerns (Owens/Cowell 2011). Yet the question arises: What does sus-tainability mean in a cross-border context?

While the formulated planning paradigms are very similar, the differences are apparent in the design of the relevant planning systems. This fact can be attributed to the different planning cultures. Based on the particularities of each planning culture (Pallagst 2010), the following features can be observed:

> different circumstances locally and in society,

> different normative sets of rules,

> varying differentiation of the planning and administrative levels,

> different cartographic formats for the information or plans,

> different scales,

> different methods in regard to the acting stakeholders and the shaping of the
  stakeholder arenas,

> different planning content and categories,

> differing extent of political influence on planning and

> different ways and means of participation.

National	Normative framework	Important planning paradigms
Belgium	Walloon Code of Spatial Planning, Urbanism, Heritage and Energy (*Code wallon de l'Aménagement du Territoire, de l'Urbanisme, du Patrimoine et de l'Energie*)	Reducing land take, resource-friendly actions
France	Act on sustainable spatial planning and development (*Loi d'orientation pour l'aménagement et le développement durable du territoire [LOADDT]*) Grenelle Act 1, Grenelle Act 2	Sustainable development
Germany	Federal Spatial Planning Act Federal Building Code Guiding principles for spatial development in Germany of the Conference of Ministers for Spatial Planning (2006, 2016) Federal state spatial planning acts German national sustainability strategy	Sustainability, sustainable spatial development Equivalent living conditions, Reducing land take (objective: 30 ha), Climate protection and adapting to climate change (mitigation of consequences of climate change), Reduction of carbon emissions
Luxembourg	Act of 30 July 2013 on Spatial planning Spatial planning framework programme (2003) Integrated transport and spatial development concept for Luxembourg (2004)	In regard to the population in rural and urban areas: equal access to housing, employment, education, infrastructure, transport, nature
Switzerland	Spatial Planning Act Act on housebuilding and home ownership subsidies	Sustainability Economical use of land

Table 2: Planning paradigms at the national level in Belgium, Germany, France, Luxembourg and Switzerland / Source: The authors, 2015

Some of these differences in planning instruments are illustrated below through selected examples of planning documents of the partners in the Greater Region. Sample maps will be used, though without a direct comparison due to the differences in the nature of the instruments.

France

For the French planning system, a map of the SCoT Sarreguemines was selected. The territory covered by this intermunicipal planning document borders on Saarland. The planning document focuses on developing the municipal level. Cross-border cooperation appears to be accorded a high level of importance as the plan contains clear references to neighbouring Germany and Saarland's institutions are involved in the planning process.
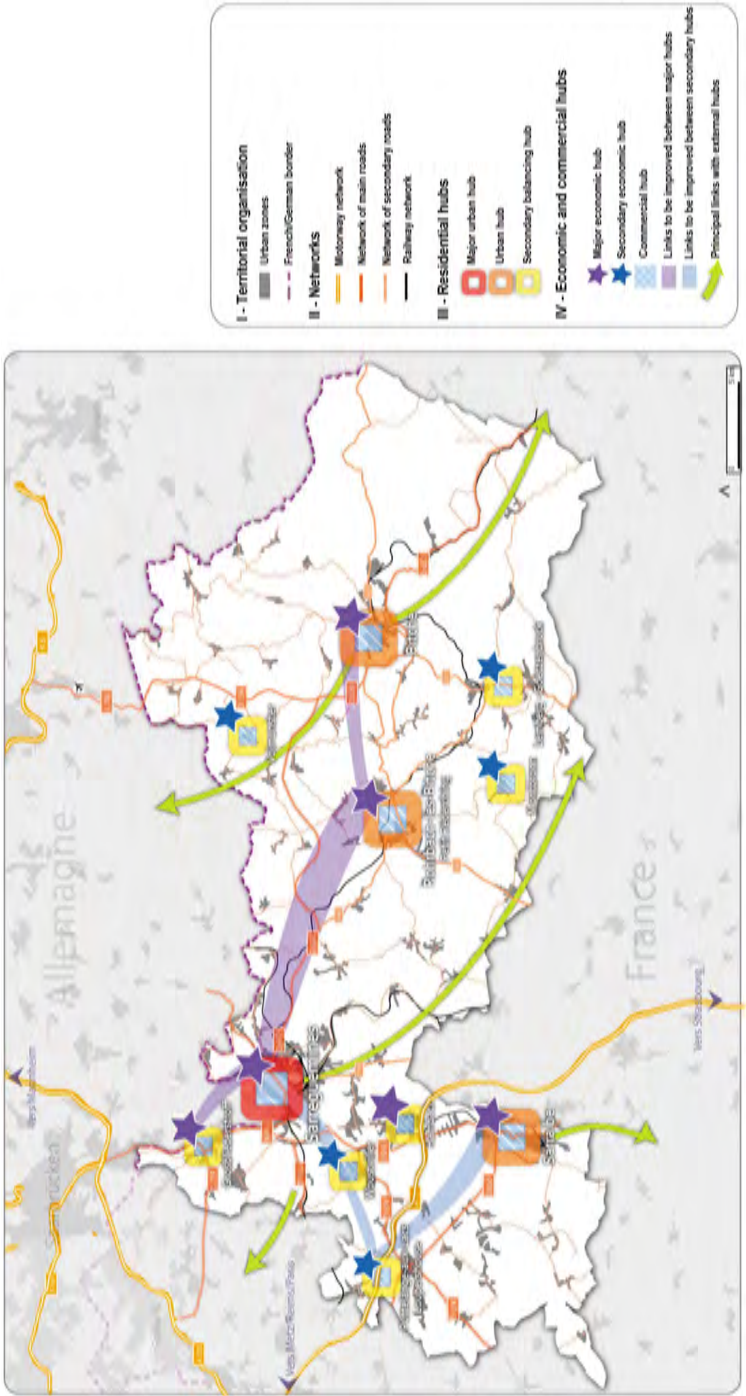
*Fig. 1: Territorial Coherence Programme (Schéma de Cohérence Territoriale [SCoT]) of the
Sarreguemines administrative district: Development of urban centres / Source: Joint association of the
Sarreguemines district (Syndicat Mixte de l'Arrondissement de Sarreguemines) (Ed.) (2013): 4*

Germany

The mutual feedback principle closely interlinks the different planning levels in the German planning system. This makes it one of the few systems in Europe to have regional planning documents across all areas for the entire republic and is of a binding nature for local planning (there is an obligation to adapt urban land-use planning to the objectives of spatial planning).

For this chapter, a map of the regional spatial structure plan for Western Palatinate, which shares a border with France, was selected. The border region concerned is a peripheral rural area. The plan makes no reference to cross-border cooperation: in fact, the entire document contains merely a single reference to France. This illustrates that there are sub-regions in the Greater Region which are hardly affected by cross-border issues, or where those aspects have not yet been considered for the purposes of spatial planning.
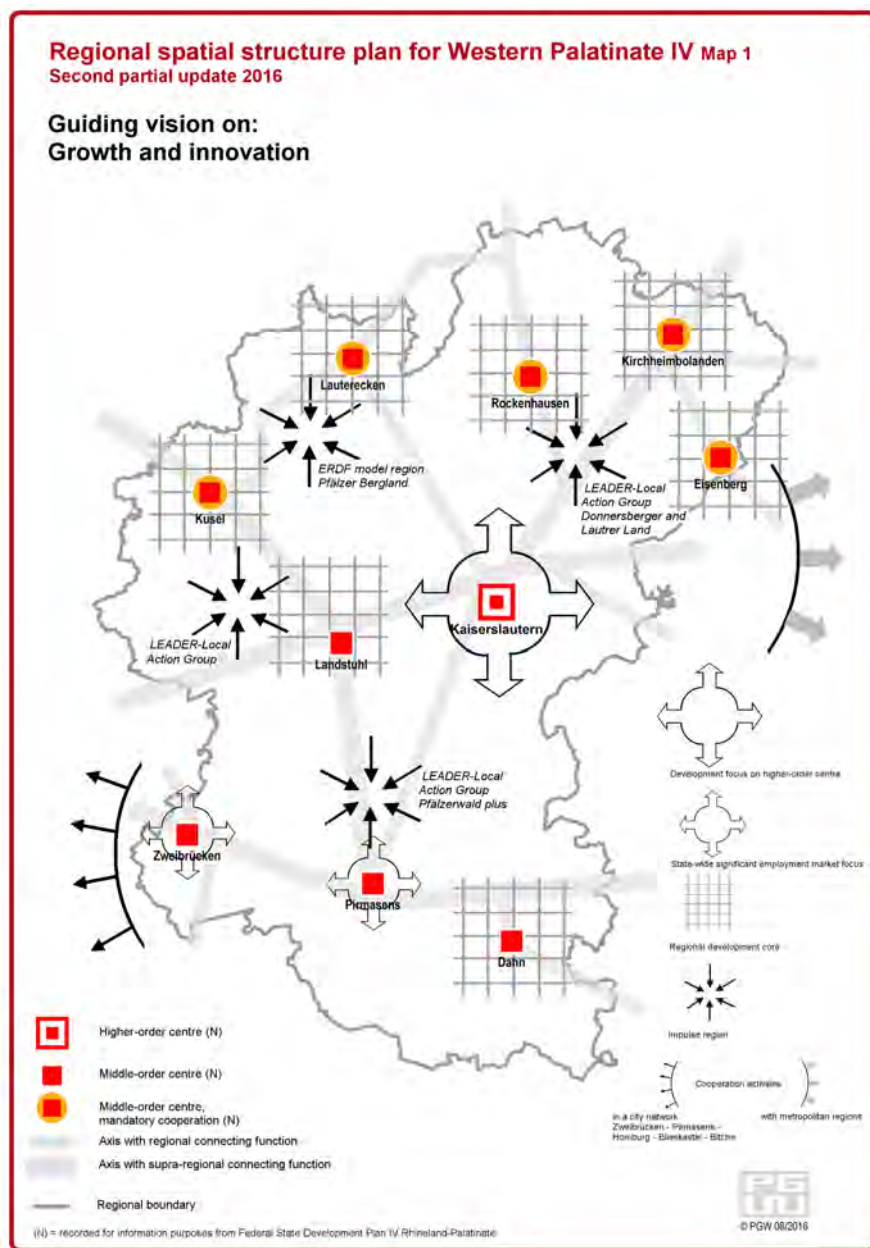
Fig. 2: Regional spatial structure plan for Western Palatinate (Regionaler Raumordnungsplan Westpfalz) IV / Source: Western Palatinate Planning Consortium 2012: 8

Luxembourg

As a small country in the core area of the Greater Region of a cross-border region, Luxembourg is closely intertwined with its neighbours and embedded in cross-border cooperation. Figure 3 shows the integrated transport and spatial development concept with the map of the spatial model of the 'polycentric urban structures integrated in the landscape' with Luxembourg City as the metropolitan centre. The map emphasises polycentricity as a key objective. Cooperation with neighbouring countries is considered to be a basic prerequisite in this respect.
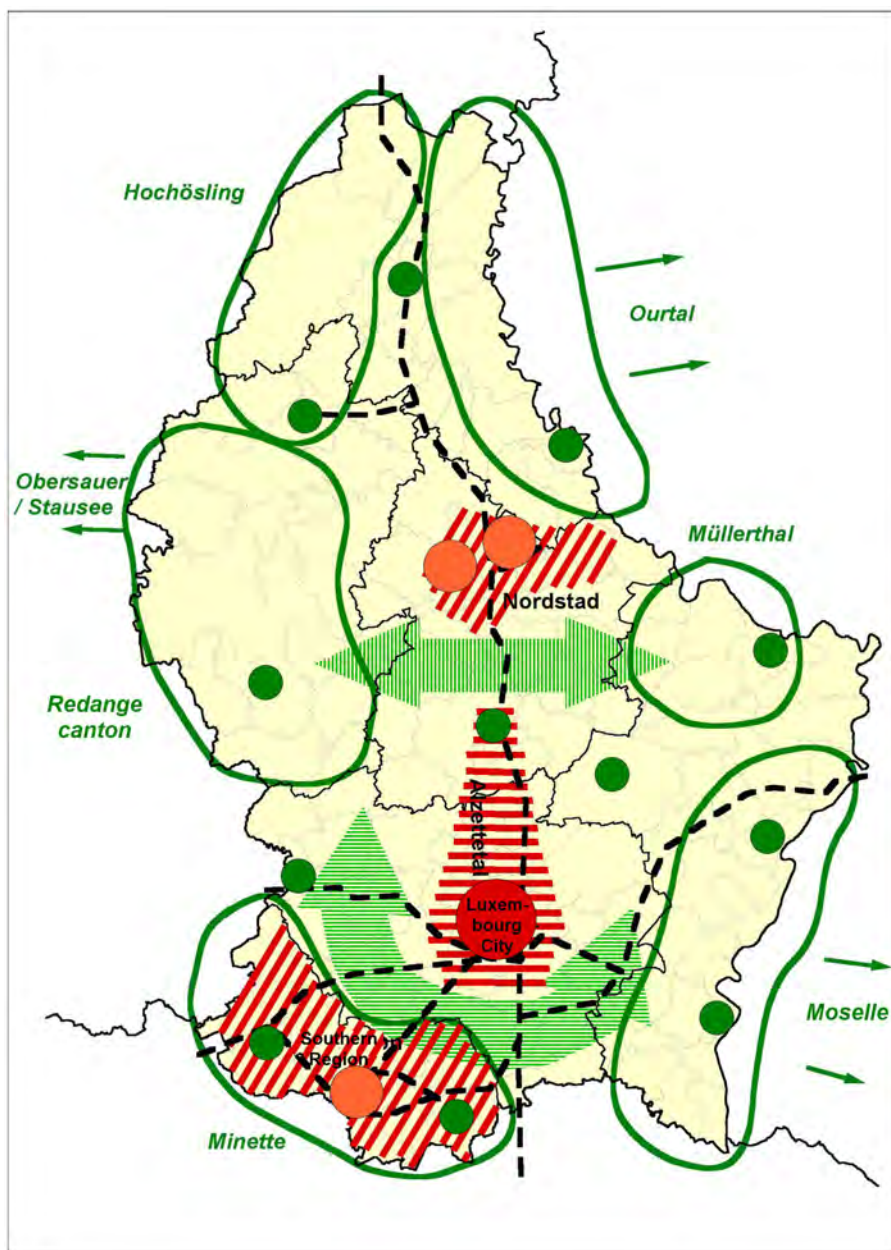
Fig. 3: Integrated transport and spatial development concept (IVL) for Luxembourg: Spatial model of the polycentric urban structures integrated in the landscape / Source: Government of the Grand-Duchy of Luxembourg 2004: 60

Switzerland

For Switzerland – in very much the same way as for Luxembourg – integration into European and global contexts is a very important task. The spatial development strategy of the cantonal development plan of Basel-Country contains references to neighbouring countries on the map, while the textual explanations frequently refer to global (economic) contexts.

This selection of planning documents illustrates not only the differences between planning graphics, but also the different approaches to spatial planning in different planning cultures: the spectrum spans all planning levels from informal spatial visions and development strategies to legally binding planning documents. In addition, it is clear that statements on cross-border tasks and requirements vary considerably between the national planning documents or are often considered only to a minor extent. These different planning forms and contents in the border regions necessitate continuous cross-border communication between the stakeholders involved.

To facilitate cross-border cooperation despite such differences in the planning systems, or to even allow it in the first place, additional planning instruments and processes as well as unified or comparable planning principles have been developed for the border regions across Europe.

Overview of cross-border planning instruments that are used in the Greater Region

In the past 20 years, a series of cross-border planning activities and informal instruments have been initiated and implemented for the Greater Region, e.g.

> Project financing tools: INTERREG IVA and/or V A (see the paper by Caesar and Pallagst in this volume)

> Governance tools: EGTC Greater Region (see the paper by Caesar and Pallagst in this volume)

> Monitoring tools: GIS-GR (Geoportal of the Greater Region 2017)

> Policy tools: Metroborder project (ESPON; University of Luxembourg (Eds.) 2010)

> Visioning tools: regional development strategy *(Regionalentwicklungskonzept, REK)* (Agape et al. 2016)

While the GIS-GR and the Metroborder project were treated as INTERREG projects in the programming period up to 2013, the regional development strategy for the Greater Region is a process which was launched by the Greater Region's Coordinating Committee for Spatial Development *(Koordinierungsausschuss für Raumentwicklung, KARE)* and adopted by the Summit of the Greater Region. Several preliminary studies have been carried out or are underway, e.g. a transversal analysis of the planning documents of the individual sub-regions (duration 2015–2016). These studies are to serve as the basis for determining the nature of the regional development strategy and the objectives and focal points to be addressed. The elaboration of the

Greater Region's regional development strategy has proven to be very time consuming and challenging as far as coordination is concerned, due to the size and diversity of the border region, but also because of the diversity of the stakeholders. Hence, the regional development strategy as an instrument cannot currently be used to respond to short-term or current requirements and problems.

Luxembourg, Rhineland-Palatinate and Saarland have launched a joint cross-border development strategy for the Upper Moselle Valley to better coordinate and agree on the developments in this dynamic area (*Büro für Mobilitätsberatung und Moderation und pact s.à r.l.* 2013). The Upper Moselle Valley development strategy is jointly financed by the three partners and has been elaborated since autumn 2015. The results and planning statements are to be included in the integrated national development programme for Luxembourg and in the federal state development plans of Rhineland-Palatinate and Saarland. In addition, their embedding in the strategy statements of the regional development strategy is indispensable.

Overview of cross-border planning instruments used in the Upper Rhine region

> Project financing tools: INTERREG IVA and/or V A (see the paper by Caesar and Pallagst in this volume)

> Governance tools: EGTC Eurodistrict PAMINA (see the paper by Pallagst/Dörrenbächer/Weith in this volume); EGTC Rhine-Alpine Corridor (see the paper by Caesar/Heilmann/Saalbach/Schreiner in this volume)

> Monitoring tools: GIS for the region of the Upper Rhine GeoRhena (previously GISOR) (GeoRhena 2017)

> Policy tools: Metroborder project (ESPON; University of Luxembourg (Eds.) 2010); Guidelines for cross-border housing policy in the PAMINA area

> Visioning tools: Spatial Planning Policy Guidelines for the Upper Rhine; PAMINA spatial development scheme (City of Karlsruhe 2017)

This overview reveals that a range of planning instruments is available for both the Greater Region and the Upper Rhine region, yet they are of an informal nature because of lacking administrative or legislative powers for cross-border spatial planning.

3   Conclusions

The information in this chapter serves to illustrate the differences and commonalities in the planning systems that converge or clash in border regions, and thus serves as a basis for the other papers in this volume.

It demonstrates that spatial planning in the national sub-regions of border regions is organised in quite different ways, and not merely in regard to the normative foundations and types of plan, but also in regard to values, paradigms and planning cultures.

Border regions are, however, always decisive for the emergence of new spatial planning considerations up to the creation of new instruments – both in a national and cross-border context. For example, the spatial category of metropolitan border regions was introduced in Germany as part of the guiding principles for spatial development. Cross-border development strategies, too, offer approaches for genuine cross-border discourse in regard to spatial planning. This augments the complexity of cross-border spatial planning and thus presents new challenges for the stakeholders. This leads to the question of how existing strategies, processes and structures of cross-border spatial development can be better focused toward the future-oriented shaping of border regions.

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