

STUDY OF THE PROCESSES OF TERRITORIAL FUND DEVELOPMENT OF THE CITY OF UKRAINE

ДОСЛІДЖЕННЯ ПРОЦЕСІВ РОЗВИТКУ ТЕРИТОРІАЛЬНОГО ФОНДУ МІСТ УКРАЇНИ



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Summary. The work examines the development and increase of efficiency of use of urban territories in the preparation of planning projects and land use documentation. Of the analysis of modern condition of legal and methodological support of the processes of research territorial Fund of Ukrainian cities and compare its use with foreign countries. Analyzed and mapped the approaches to the creation of design projects for solving problems in the field of territorial development of cities. The analysis of the current state of legal and methodological support of the processes of development of territorial Fund of cities of Ukraine.

Key words: cadaster, land management, urban agglomeration, urban planning, land use and development.

Introduction. The growth of urban territory is affected by migration, which is characterized by two main directions. In fact, one migration stream comes to the city from the outside, and another migration stream is sent from the central parts of the city to the periphery. One of the consequences of the second wave of migration may be the emergence of low-rise buildings on land previously used for agricultural purposes. This process is called urban agglomeration. However, this does not mean that such, spontaneously occurring low-rise construction, more or less integrated into the environment, arises beyond the limits of state control. Such processes are carefully planned, provide for control over the expansion of territories and the development of infrastructure, inherent in most European countries.

The aim of this article is to study the foreign experience of state regulation of the design and implementation of small-scale development projects and urban development projects in such territories, where objects of land ownership are presented in a separate form.

To achieve this goal in the work set the following tasks:

- to study the theoretical foundations of the planning of the territory;
- to identify the role of small planning projects in the development of urban areas;
- to analyze the policy in the field of land relations of European and domestic cities;
- to analyze the land relations in modern conditions;
- to consider the foreign experience of increasing the efficiency of the use of urban areas;
- on the basis of the analysis carried out to develop a concept for the creation of design solutions for the rational planning and use of urban areas.

Materials and Methods. In many countries, many studies were conducted analyzing the development of suburban areas in terms of planning and the prospects for their practical implementation [1-3]. Such large-scale expansion of territories can be managed by coordinated efforts, implemented jointly by municipalities, developers, authorities, financiers, etc., and this process can be based on national standards. The study of the implementation of these processes can be carried out on an example of agreements, formal plans of different

levels. Projects of the organization of the territory of land shares (shares) are developed in accordance with the Law of Ukraine "On the procedure for the allocation of land plots to the owners of land shares (shares)" dated June 5, 2003, No. 899-IV and Methodological recommendations regarding the procedure for the transfer of land parcels (share) in kind from the lands of collective ownership to the members of the KSP, the order of the State Committee of Ukraine for Land Resources, the Ministry of Agriculture and Food of Ukraine, the Ukrainian Academy of Agrarian Sciences of 04.06.1996, No. 471/172/48.

Land management projects for the regulation of the territory of settlements are developed on the basis of Article 53 of the Law of Ukraine "On Land Management", in line with the drafting of the plan of land and economic arrangement of the settlement, the order of the Ministry of Construction and Architecture and the State Land Committee of Ukraine dated September 24, 1993 No. 158/61.

Land-use work projects are made for the implementation of measures provided for schemes of use and protection of land, land management projects [1 - 3].

Work projects related to construction and earthworks are made in accordance with the State Construction Standards of Ukraine (DBN), the Procedure for Conservation of Land (Order of the State Committee of Ukraine for Land No. 175 dated 17.10.2002).

The technical documentation on land management regarding the establishment of the boundaries of the land plot in kind (on the ground) is developed in accordance with Art. 55 of the Law of Ukraine "On Land Management" in compliance with the requirements of normative acts on topographical and geodetic activities and Instructions on the procedure for the compilation, issue, registration and storage of state acts on the right of ownership of a land plot and the right to permanent use of land and land lease agreements.

The technical documentation on land management regarding the drawing up of documents certifying the right to land is developed in accordance with Art. 56 of the Law of Ukraine "On Land Management" and Instructions on the procedure for the compilation, issue, registration and storage of state acts for the right to own land and the right to permanent use of land, land lease agreements (Order of the State Committee of Ukraine for Land Resources of Ukraine of May 04, 1999 No. 43 as amended). Special thematic maps and atlases on land use and their use shall be drawn up in accordance with the Law of Ukraine "On Land Management", taking into account the provisions of the Law of Ukraine "On Topographic and Geodetic and Cartographic Activity" on the basis of surveys according to the Procedure for the Implementation of Natural-Agricultural, Ecological, Anti-erosion and Other Species zoning (zonation) of land, approved by the Resolution of the Cabinet of Ministers of Ukraine dated May 26, 2004 No. 681 and Methodical recommendations for the implementation of erosion zoning (zoning lands), approved by the order of the State Committee of Ukraine of 28.12.2004 number 420 [1-4].

Results and Discussion. In this article, the study of foreign experience of state regulation of designing and implementation of small-scale development projects and urban development projects in such territories, where objects of land ownership are presented in a separate form, are being studied. This study can be carried out by comparing construction processes in the example of four countries. The first two countries considered have a large and extensive experience of private construction on fragmented land plots, while the other two countries are in the process of transition from centralized regulation to a market economy, one of which is in the European Union, and the other is a candidate for membership. European Union [4-9].

The first two countries analyzed are England and Sweden. England is a country with a discrete design system oriented to a landowner or developer who must submit a detailed construction plan to obtain the so-called design permit. Local authorities (hereinafter - the municipality) or grant the right to design according to the submitted documents, which represents the right to continue the design according to the necessary conditions, or refuses to design. Among all the UK territories, it was decided to focus on England in order not to delve into the study of the various legislative options on which the design and construction procedures are based in accordance with the various jurisdictions of the United Kingdom. Of particular relevance to the choice of this country comes in the period of its exit from the EU.

On the example of Sweden, you can study the design system in which the municipalities require a strict, detailed plan for the right to design, and also imposes obligations on landowners. This preliminary plan contains additional regulatory requirements for the various parts of the project.

Two countries in the transition period are Macedonia and Poland. Both countries have a common history of development in a planned economy, in both countries rural territory could belong to private individuals. Nevertheless, the processes of design and construction until 1989 did not concentrate on dispersed construction activities outside of urban areas. Currently, the conditions for designing and implementing the project are gradually changing due to the new political situation, as well as the improvement of the economic situation for some groups of people.

A comparative study is difficult to carry out without posing a task. We will analyze the approaches used to plan the territories based on the selection of the most important criteria within the existing standards, including planning for the main construction processes: design, implementation of the project and management of the object. These processes, taking into account such criteria, can be attributed to any country, including Ukraine [5]. However, there are different ways of designing, implementing a project, and managing an object.

The most difficult from a legislative point of view is the planning and construction process [6] in small residential areas, with a host of owners and large conglomerates on the periphery. In this case, small companies and private individuals carry out construction. These projects, mostly of an individual nature, are, nevertheless, under the control of the municipalities. Therefore, developers should carry out the design and construction of the territory in strict accordance with the current legislation [7].

At this micro level of construction, a detailed plan is a joint product of technical, ecological, and economic processes that meet the most sought after land use needs, and fully complies with construction standards. Determine this aspect in more detail in order to understand how the formal construction project is implemented in practice, how the design of territories is carried out in accordance with the conditions of the local infrastructure. Let's also address the issues of long-term management of local infrastructure objects.

In order to show the process of project implementation, the following is a fragment of the conditional map. This card is used to more clearly identify elements of the analysis of the construction process in the countries under study. The basic assumption is that in a rural area where the land is owned by different smallholders (for example, five owners), it is necessary to create a number of land plots to which new roads, water pipes and sewage pipes will fit, and other necessary infrastructure. Part of the land will be used for green plantations and for the construction of a children's playground. All land parcels will be easily accessible, thanks to a specially created system of roads, which will be equipped with a properly designed infrastructure for water, sewage, various types of cables. Note that, for example, in Poland, this infrastructure is not located underground, but laid along the land.

A large plot on the left side of the drawing will be used in accordance with the example described. Parts of the existing property will be distributed to the public green space, for the construction of a children's playground and roads. To the right of the map are three land plots. The first one will be used for two construction sites and road construction. The other two plots will remain in the same form, but they will be changed by redevelopment (changing the boundaries along existing land holdings) [4].

Thus, a designated number of construction sites will be located in the allocated area for the construction of houses, and part of this zone will be used to create public roads and build local infrastructure in suitable places, as well as to create a green space. Next, part of the lines of property boundaries must be redefined. As a result, we are dealing with a combination of several processes of reorganization of land: crushing, redistribution, allocation of land for road construction, creation of public space and other necessary local infrastructure. These activities are considered through the prism of their interaction in the design and construction according to a hypothetical building scheme (Fig. 1).



Figure 1 – An example of detailed design and implementation of a project in a small area
Рисунок 1 – Приклад детального проектування та реалізації проекту на невеликій території

Before describing the differences in each of the countries presented, give a brief description of the relevant design systems. This is especially true in connection with the fact that the English system is quite

different from the others. This system is characterized mainly by the fact that it determines the possible boundary of the territory, but the landowner or developer must submit proposals for the development project. It is important to note that in England there is planning at the national level.

The Documentation on the Basis of Project Policy 2012 (abbreviated as NPPF) is the main regulatory document for local authorities. In England, there is no state master plan for land use, as it has been developed in most other European states, although in England there are specially designated lands for which it is very unlikely to be approved for design, they are strictly controlled. In England there are documents that regulate land use planning, they operate locally. In England, in some areas, project control is strictly limited, but they do not belong to the objects of study in this paper. The nominal procedure for any applicant is to conduct a number of basic inspections prior to applying for design to determine whether it is possible to obtain a generic development permit (short for GPDO), and most importantly - to find out if other Applications for prior authorization in accordance with the norms of city and state planning since 1995 - General Packet Development. It is important to find out whether the territory of the foreseen building is not covered by the law on conservation, or there are orders to preserve trees at the site of the construction site. Such information is available through the Local Planning Authority (LPA). If the site of the selected construction site does not contain any of the above restrictions, then you can contact the authorities (LPA) according to the procedure described. Landowner or developer can then apply for construction of buildings and infrastructure on a territory suitable for construction work. The application should contain all possible design information, even if several persons own the construction site at the time of submission of the application. If the applicant receives an application from the LPA, the application is considered approved, although it may be necessary to agree on several criteria before obtaining full approval. As soon as the permit is received, no other documents are required, but all facilities and infrastructure must comply with existing building legislation. In this regard, the English system is more oriented towards developers involved in large-scale development of territories, and separate private land owners may find it rather difficult to obtain individual building permits.

Unlike England, a general construction plan is needed for a lower level of design coordination in Macedonia and Poland. This condition does not apply to Sweden, where the government provides a degree of freedom in terms of developing and adopting detailed projects. The answer to the proposal for the development of the territory here may be obtained faster than in countries with mandatory general plans of development. Urban development may be adapted to local needs, which were not identified when a general plan was adopted. In this respect, there is some similarity to the English approach.

Conclusions and Recommendations. Thus, the role of general plans for the development of territories in most continental European countries is to serve as the basis for the formation of local detailed plans; A similar National Planning Policy Framework is implemented in England, but on a more situational basis. In this case, it is possible to fully reflect the prospects for the development of urban areas on the general master plan, or, as in England, through the adoption and strict implementation of the local land use plan (Local Land Use Plan). Similarly, it is possible to develop small areas, as is done in Sweden, even in the absence of the necessary data on the master plan.

The following tasks were solved in the work:

- the theoretical bases of the planning of the territory are studied;
- the role of small planning projects in the development of the territories of cities was explored;
- analyzed the policy in the field of land relations of European and domestic cities;
- analysis of land relations in modern conditions;
- foreign experience of improving the use of urban areas is considered;
- on the basis of the conducted analysis the concept of creation of design decisions on rational planning and use of urban areas has been developed.

Successful implementation of the measures envisaged by this article will significantly improve the design planning decisions of Ukrainian cities and will provide the opportunity for their development and growth of investment flows.

The main results obtained in the development of this article are the implementation of elements of the study of the effectiveness of planning the territories of Ukrainian cities. Thus, the goals set in the article are achieved.

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Анотація. В роботі досліджені питання розвитку та підвищення ефективності використання міських територій при складанні планувальних проектів та проектів землевпорядної документації. Проведений аналіз сучасного стану правового та методичного забезпечення процесів дослідження територіального фонду міст України та порівняння його використання з зарубіжними країнами. Проаналізовані та порівняні підходи до створення планувальних проектів для вирішення проблем в галузі територіальної забудови міст. Проведений аналіз сучасного стану правового та методичного забезпечення процесів розвитку територіального фонду міст України.

Ключові слова: кадастр, землеустрій, міська агломерація, генеральний план, правила землекористування і забудови.

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