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MAKING THE BUCHAREST'S SUBURBIA - BETWEEN PRIVATE INTEREST AND GENERAL INTEREST STAKES

Lilian Cîrnu¹, Bogdan Alexandru Suditu²

Abstract. The nowadays Bucharest suburbia is the result of 25 years of regulatory developments, as well as the characteristic element of socioeconomic change in post-communist Romania. Legislative compliance of peripheral urban dynamics was matched by how interactions between public and private stakeholders favored a certain type of urban morphology. A parallel with earlier periods try to highlight the nature of these relationships and the impact on the production of the new single detached house neighborhoods.

Keywords: urban sprawl, stakeholders' interactions, private interest.

1. Introduction

The making of Bucharest's peripheral urban fabric constitutes a topic who suffered multiple mutations, both in terms of space and typology of adopted forms. An essential element in this process is represented by the stakeholders' role play that frequently made that general interest swing from the private interest sphere to more obscure elements.

The 1990-2010 period was marked by a series of radical changes in the Romanian society; these changes were materialized also in the transition to a Post-Fordist production model of the urban fabric, with a preference for single detached house.

To this competed a whole myriad of political, socioeconomic and cultural aspects. Among these, we insist on the repeal of the December 27, 1989 of the Law no. 58/1974 concerning the land planning of urban and rural areas, and also the repeal of Decree no. 68/1976 regarding the relocation from other places in cities, which sparked the opening for urbanization of agricultural areas and, on the other side, showed the path for residential mobility to and from rural areas to the capital city. The Law 18 was also adopted in 1991, which restored the ownership of agricultural lands to their former owners, paving the way towards a free real estate market.

This type of spatial evolution shows the passage from the Fordist urban fabric to the post-Fordist type, which is specific of the capitalist society, where the change of political regime had a decisive impact. In this context, population movements towards the capital to neighboring villages have several explanations. On one hand, this trend was the result of a

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residents return to the places of origin due to changes in the economic profile of the capital, with the conversion of industrial sector, a phenomenon particularly visible for towns situated at a significant distance from Bucharest (more than 20 -30 km).

On the other hand, the topic is also the affirmation of a middle class, or a class with considerable income backgrounds, seeking a better living environment, while they see individual homes as a sign of social success. Under pressure from the real estate market, in the absence of compliant legislation, deprived of adequate regulatory instruments and often under the influence of political stakeholders, technical services of municipalities were facing a new phenomenon, without being able to manage it effectively.

The quality of the new urban tissue, whose central figure is individual housing, remains questionable. Both functionally and esthetically speaking.

1. Historical perspectives on the role of public and private stakeholders in the production of the peripheral urban fabric

A brief review of the most important periods in managing urban evolution of peripheral Bucharest aims to understand how were built guiding visions for the evolution of Bucharest's suburbia.

Thus, **in the pre-war period**, *The Law for organizing urban communes* (31st July 1894) was adopted. First applied experimentally in the capital, it compulsory designed plans to systematize urban communes. Following the same law, Bucharest expands its administrative powers over the surrounding suburban municipalities, resulting in an agglomeration of about 2,000 ha, without requiring a regulatory document on the latter.

This led in 1900 to the drawing up by the Municipality Technical Director, Eng. Alexander Davidescu, of Bucharest's systematization program preparation. For the first time, the development of the city is seen at a broad scale in this policy document, involving relations with the outside administrative territory in close connection with the management of existing problems within the city.

Based on the "green belts" London's model, it follows the basic arrangement of suburban municipalities, within a radius of 12 km around Bucharest, in order to limit the city extension. For this, a proposal expropriation of 500-1000 m in width will be planted to create a natural barrier in the event of illegal attempts to violate this provision. A second circular ring, with a radius of 40 km, encapsulate what was called "regional area of the city", with a focus on establishing a network of roads for traffic and green areas. The major problem of the capital at the beginning of the twentieth century was that long tradition of rural residents, who often come from other parts of the Kingdom. They imprinted their culturally specific housing on some type of hilly or mountainous areas - separate home neighborhood through gardens and green spaces as a scattered village.

Subsequently, **in the interwar period**, the realization of the principles supported by Alexander Davidescu was made in 1921, when, after efforts started in 1906 (design contests), under the leadership of eng. Cincinat Sfintescu, was approved the final version of the Bucharest Master Plan.

This Master Plan offered a potential population growth for the next 50 years, because the open spaces can support the necessary land for the new constructions. In addition, it follows the study of suburbia development plans and the prospect of regional urbanization, with an area of space separation between the capital city and the regions, embodied through a belt of plantations and agricultural areas without any construction or industrial infrastructure. Moreover, within the city was provided varied habitat types for different social classes, being

the big picture of a "garden city" capable of providing living conditions for 1,500,000 inhabitants, while Bucharest recorded 389.078 inhabitants in 1919.

According to this plan, 2/3 of the capital territory was intended for the construction of individual houses, responding to the needs of the middle class in terms of habitat and, at the same time, limiting uncontrolled extension of built space.

Subsequently, the Law for organizing Bucharest's municipal administration (7 February 1926) is constituted by two administrative areas: the central area, with 4 sectors, and the peripheral area formed with suburban municipalities within the line of forts limit. The extension of Bucharest administration till this limit was manifested only by an institutional control on the perimeter, without making spatial extension of the built perimeter.

The 1929 law for the organization of Bucharest defines an area of about 37,000 ha, included in the Master Plan, which added 14 other municipalities besides the capital suburban villages. The growth dynamic was accelerated. Sfintescu Cincinat's interventions have focused on delimiting no-built areas and in identifying rational growth areas of the 14 aforementioned administrative territory, so as to allow penetration of green spaces as close to city center. It aimed to ensure "nature's garden lover", "meadow athlete" and "grass for camping". Green spaces were to be inserted into the built environment and to fit in it.

In order to ensure complementary public services in new residential blocks, it was established that, if parceling of land are greater than one hectare, whether they were located in urban or suburban areas, **the owner must provide the project land area "for public purposes (school, church, sports field, etc.)" which will be freely transferred to the City Hall.** For lands having between 1 and 2 acres, this area was 10% of total area, and, when more than 2 hectares, was of 15%.

"... The dotted streets, provided in the systematization plan, are designed to meet local interests of riparian owners of these streets. Such street cannot be opened unless the individuals concerned will bear the cost of opening, equipping urban streets with all works endowment (paving, water, sewer, gas, electricity, public lights, plantations) without having to incur any expense compensation for any terrain or building or for work performed for the city hall. The share of the residents' contributions will be compared with each property façade and, according to estimations, prepared by the technical services of the City Hall, the UCSF and the General Society of gas and electricity, both for land value and utility work." (Laws for organizing Bucharest, 1926, 1929, 1939).

The Communist period requires a new program for Bucharest planning. The principles "superurbanism" and "city-gardens", promoted by Cincinat Sfintescu, were abruptly replaced with the *Law of 13 November 1952 on the construction and reconstruction of cities and organizing the work of architects* who sought urban landscape transposition of the communist ideology. State ownership of available land, the elimination of private participation in urban planning and centralization of decision, made the transformation of the city highly effective.

Initially, through the forced collectivization, land confiscation of property and massive industrialization in the 50s and 60s, the communist State has discouraged living in rural areas, which led to massive urban exodus to major industrial centers. Moreover, far from the environment in which it formed and the type of archaic society, creating a "new man" became much easier.

Faced in the 70s with a massive migration influx, plus outstanding natural increase after the Decree nr.770 / 1966, the State was faced with difficulties to provide needed housing in urban areas. The decision was made to take a number of measures in order to maintain a large population in rural areas. On one hand, by Decree no. 68/1976, limited establishment in cities

and commuting is encouraged, and, on the other hand, the radical transformation of the Romanian village follows. Earlier, in November 1965, at the request of Nicolae Ceausescu, is established the Central Commission for Village Systematization, the body responsible for the design and systematization of urban locations, responsible to use the existing agricultural potential more effectively. In 1973, this program was initiated in the close counties of the capital (Ilfov, Calarasi) and then extended to the whole country. Law Nr. 58 of 29 October 1974 on *land planning and urban and rural territory systemization* provides inter alia that *"Through systematization it must ensure **restriction of settlements building perimeters to a minimum** and optimal use of land, which is an important national wealth. Urban systematization should ensure their harmonious development in close correlation with the surrounding territory and with general network places, restricting surfaces Building and using more complete buildable land perimeter of municipalities and cities"*.

Following the National Systematization Program (1976-1980), was intended, among other, to gradually erase the differences between urban and rural areas and to create 300-400 new urban centers to ensure a balance in the existing urban network. The intention itself was not irrelevant, major municipalities will play the role of secondary urban pole and represent a common intermediate scale to the rural-urban center hierarchy. The influence area of these new centers extends to a radius of 20 km, they are equipped with all necessary utilities and services for an independent existence and they concentrate a minimum population of 5,000 inhabitants. It was intended to create new collective housings, civic centers and industrial facilities. In reality, the goal was the socialist society homogenization. The next step intended to standardize the type of habitat and, by a forced measure, to inoculate to peasants the specific lifestyle of the communist city. And to transform them overnight into agricultural workers.

As it was assessed in 1988, this process is not proceeding well. It was decided the disappearance of 900 municipalities, out of 2705, and a drastic reduction of villages to maximum 5000-6000 (from a total of 13,123). Those that remained needed to be demolished and rebuilt at a rate of 50-55%.

This plan was to be completed by the year 2000. The events of December 1989 have made these intentions not be fully brought to an end. There have been many changes in the morphology of Romanian villages, but rural settlements were destroyed only in the current Ilfov county, and this because some of the 10 villages were demolished on the route where Nicolae Ceausescu travel to the airport and hamper his perspective.

During **the post-communist** period, Bucharest is a city marked by what was called "Urban Transition", **and** it is also a city subject to land speculation and real estate pressure. With the repeal of Law no. 58/1974 on land planning and urban and rural areas and restoring ownership of lands in the vicinity of the capital city, fragmented urban area expanded, building urban infrastructure in areas where it does not exist.

General Urbanism Plans (PUG) developed and updated during this period rarely took into account the suburban area of Bucharest, because a lack of administrative entities (metropolitan area) covering the area of the capital city global influence. They will induct the dynamics of neighboring localities, and will know a remarkable population growth based on internal migration growth and an extension of built-up areas, to the detriment of Bucharest.

Thus witnessing an extension of the built municipalities either by individual initiative (through PUZ) or from local authorities, to obtain additional allowances and income from the State budget through employment and taxation of agricultural land as urban land (by PUG). In accordance *with Law no. 273 of 29 June 2006 on local public finances*, as further amended and supplemented, was established the system to allocate amounts from the State budget to

local budgets. Thus, to balance local budgets of the municipalities, government approves amounts deducted from certain income of the State budget, according to the following criteria: population, inner city surface and financial capacity of the administrative-territorial unit. Based on the analysis carried out by local departments of public finances, after verification of financial capacity of the Administrative-territorial units (ATU), the other two criteria help to establish budgetary allocations are as follows: ATU population share of 75%; share of the built area ATU 25%. Instead, the 114 / 1996 Housing Act provides that the responsibility of the utility's viability and building equipment belongs to local authorities public administrations.

The State recognizes the right of everyone to a healthy and ecologically balanced environment, ensuring this legal framework for exercising this right. Also, the State is obliged to take measures of economic development and social protection, to provide the citizens a decent standard of living (Romanian Constitution - Article 35 and 47). However, spatial planning is not the art of organic law, unlike property laws. The absence of a regulatory framework defining the public interest in urban and regional planning activities, and actions to ensure the balance between public and private stakeholders involved in urban tissue manufacturing, are borderline, lawly speaking.

2. From the urbanization of rural areas to urban de-urbanization (case study: Pantelimon, Ilfov)

During the 1990-2010 period, the town Pantelimon proved to be one of the fastest growing settlements in the vicinity of the capital in terms of population growth, and especially in terms of built area extension (Figure 1).

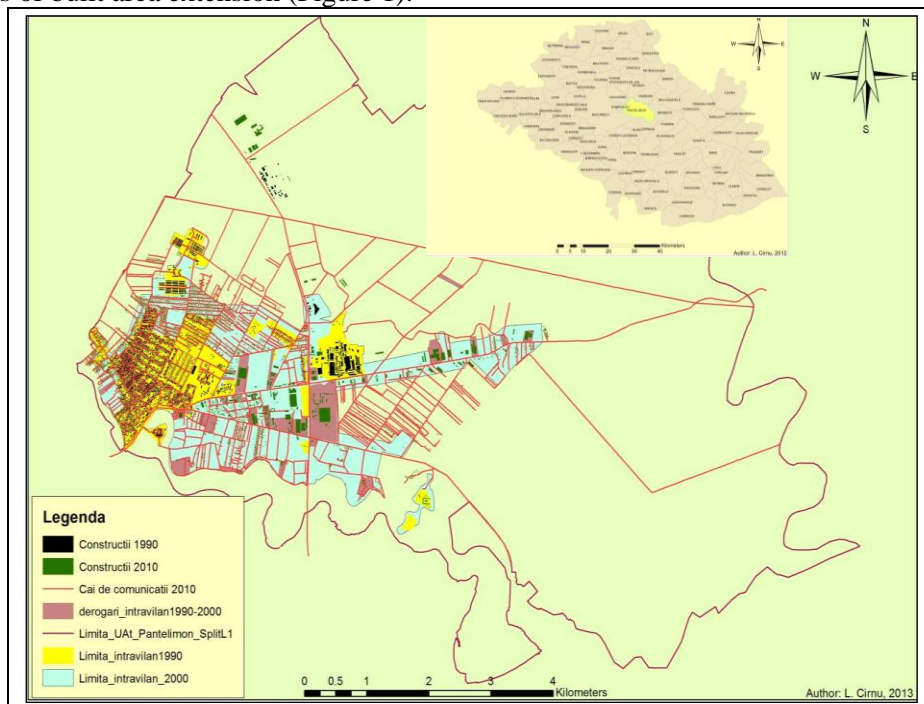


Figure 1: the evolution of the city urban limit during 1990-2010

Built-up area increased more than 7 times. The magnitude of this phenomenon makes the rural village of Pantelimon to become city in 2005 despite deficiencies facing urban infrastructure.

Throughout the production process of the construction land, and subsequently during its commercialization, there are frequent interaction between the public and private stakeholders. Authorizations and construction stages involve a permanent exchange between the parties. Although Law 350/2001 provides the necessity of spatial planning for sustainable development and public interest, realities seem often different from this. Interactions observed in Pantelimon city confirm this statement.

In addition to the 35 interviews applied to the inhabitants of the village, we tried to do semi-directive interview grids with the others stakeholders involved in urban planning. Two architects planners were interviewed, four developers, 2 representatives of technical services and two local councilors of Pantelimon's city hall. Were used as much information available in press and television about how relationships between stakeholders contribute to a certain urban configuration.

We will analyze the following two categories of relations: the **public-private** and **private-private**.

Public-private interactions

Public-private interactions are declined in three subcategories: public authorities-citizens, public authorities - investors/property developers, architects - public authorities.

The relations between *the inhabitants of the municipality and Pantelimon's city hall* are frequently reporting to public services and relations with officials of various departments. Among the newcomers of the locality, obvious frustrations occurred towards the access to infrastructure. *"Yes, there are puddles, mud ... I have neighbors that bring water from the well as in the countryside ... Maybe expectations do not match reality, but for me it is ... let's say acceptable, though it is much to be done"*, assess a resident of the street Turda, 38 years old.

The sociological survey conducted in 2008, during the PIDU elaboration, revealed that only 33.9% of residents are satisfied with the quality of their roads and 47% are dissatisfied and very dissatisfied with the drains.

It astonish also that of those surveyed in 2008, 59.6% said that the main source of water is the fountain in the courtyard, while 35.2% use centralized system and 4.8% use street fountain. Therefore, a low-maintenance centralized system. To this is added the considerable discontent towards public lighting system, rated as poor by 65.7% of respondents and sanitation issues to which 58.4% of the inhabitants are dissatisfied and very dissatisfied.

To the dissatisfaction towards the condition of urban infrastructure is added the feeling of insecurity. The incidence of crime, especially in perimeter areas with high ethnic Gypsy population, is embodied by theft or violence.

Problems also arise in direct relationship with officials from the City Hall (Mayor and local councilors) who are accused of favoritism, and even failure of current legislation. Frequently there are references to how to grant concession rights for residential construction in the public sector or how to do restoration of property rights: *"Why they did not want to give me back my ownership by order of the prefect on the old site? I had 3,000 m² near the center, there is worth 100 euro / m² at least. I went to speak to the mayor and I said: I'll give you 1,000 m², but give me the site ... you'll have 100,000 euros in your pocket and you do not do any illegality; but he didn't want to give me the old site. Instead, he gave to all machidonii public land without any right for them to have these. He was previously doing pre-sale*

contract clauses for hundreds of thousands of dollars and gave them this land. Then, with the help of relatives or acquaintances, he took it all", MS, 50 years old, resident of Pantelimon.

The question of illegal appropriation is a recurring issue in Pantelimon, perpetuated over several mandates. For example, the former mayor, Petrus Câmpulungeanu (2000-2008), was investigated and subsequently convicted for illegally giving the lands from the public to the private domain, and the profits of the businessman from resale of that land is of € 200,000. The same mayor was caught in 2005 for bribery. The 17.09.2002, Pantelimon City Hall issuing the act of implementation of an area of 8750 square meters on T34 Tarlaua on the name of two deputy mayor and other local councilors. Land area is of 8750 m². Those acts of illegal appropriation bore the signature of former prefect of Ilfov, then Senator Teodor Filipescu. Currently, he has itself an imposing property, isolated, on Lake Pantelimon.

The problems seem to occur in this community in the 90s, when a number of political personalities become interested in the real estate potential of the village. A former economy minister in 2000-2004, according to a press investigation, seems to be one of the beneficiaries of Pantelimon valuable land, according to the information released in investigation press. He received in 1993 11,000 square meters of land on the ring road of Bucharest. A profitable investment, whose market value is estimated at over 280,000 euros. That person does not hold property, nor is any heir of a Pantelimon former owner. He just made a request for the establishment of ownership and has been approved.

Public authorities- developers relationships seem to carry the same limit of legality. Although they not encounter frequent difficulties in the phase of examining of their projects by technical service, problems start to appear when the time is coming to obtain the construction permits: *"You want a building permit or an urbanism certificate ... bribe. I do not deal with in this because I do not want to have problems after that. I tell him who the investor or owner to who he must give and he does ", SA, 29, town planner architect. "If you do give PUZ at City Hall, It is not complicated for me because if you want to be approved you must deal with what they say. There are a few ... it costs two to three times more than normal, but all the money is not for them ", EA, local developer.*

Beyond this habit, which is unfortunately widespread in the mayors of nearby localities of capital city, are implemented facts that seriously undermine local budget. EA, one of the local developers revealed one of the "artifice" undertaken by the current mayor to relieve a close local taxes *"... he built a set of 30 villas for which he had to pay a tax of € 500 000. Mayor gave € 150 000, he was made an honorary citizen and so was relieved of duty and local taxes. He took 350 000 euro and the local budget has not reached a cent of the whole thing."*

The attitude of local authorities can be categorized as being, at least, "permissive". The same developer mentioned above recognize the built during the housing boom on land outside the inner-city, operations for which it subsequently obtained the necessary permits from the Town Hall and this only in order to sell these properties. The effects of these illegal decisions are seen in urban morphology of the city, resulting in a bizarre situations. We selected two examples that seem to be illustrative in this respect:

- *Concessions of the Brândușei Street*

Brândușei Street, located in the north of the village, is one of the paradoxical situation due to the negligence of local authorities. Some residents said the streets received, before 2010, concession area for housing. Concessions were granted, but on private land and not in the public domain. So, in 2010, the rightful owners asked the court to resolve this issue, those

who illegally built on land leased by the City Pantelimon risked being put in the situation to demolish their homes.

- *"Ghost Neighborhood" of Pantelimon*

Built during the housing boom near Lake Pantelimon, in the west-south-east of the city, this neighborhood of more than 100 houses was built illegally complicity of the former mayor and City Hall officials at that time. Specifically, members of the local underworld clan, Tostaua built these homes on private land belonging to other owners and have subsequently sold below the market price various buyers attracted by the amount requested (23000-26000 euro-house with three rooms). Although flagrantly violated legislation, they obtained the documents from local authorities to enable them to conduct such transactions. Moreover, the same building was sold to several persons. Although clan members involved in the scam were arrested in 2010, the rightful owners of these lands require further land reclamation in court. The buyers of these homes may remain in this situation without goods. Even worse: there were respected withdrawal limits or minimum width of access roads, so the firefighters access this area without water from the public network becomes impossible.

Due to repeat waived and lack of interest in the strategic planning of the city, City Hall investment service not currently have an update supply networks of water gas or electricity. The constructions authorized in the floodplain, or those who have been achieved without ensuring their access to collective sewage system, are frequently condemned to the effects of periodic flooding in the area, as were those of 2012.

The relationship between technical services and urban architects who have projects in the area appears to be a collaboration, but are beyond the regulations in terms of architectural quality. The main barriers to this relationship are bureaucracy, incompetence and corruption of public officials: *"Not necessarily in Pantelimon, but I happened to single out my PUG and RLU data to pass them in planning certificate. There are urbanism department officials also have a technical school and training as key positions "*, SA, 29, architect planner.

Outside the insufficient training of civil servants and the lack of clear distinction between their status and political factor whose influence is positioned under, the aspect that prevents achieving optimal urban planning of the quality of urban tissue is inadequate. Lack of legal practice of negotiation between stakeholders does not allow readjustment of a development project mutually profitable for the stakeholders: *"It comes sometimes to hilarious situations. I had a parcel that was from a legal point of view legally constructive because it respects the surface limit and opening, but was not technically possible by the observance of the bottom and side plot limit. It was impossible to get an approval for a PUD in that situation. The owner had to give 1000 euros, was released another urbanism certificate, and with other parameters it was able to build "*, NA, 32, town planner.

Private-private interactions

Private-private interactions are declined in relations between buyers - developers, and investors - architects.

Practices *between developers - buyers* relationships are related to the real estate manufacturing process characteristics in the "developer" branch. Thus, CR, developer in the Pantelimon area and adjacent localities, describes the early stages of working with the potential buyer: *"I sell two types of homes. On one hand, I sell ready-built lots, homes with something specific, at the time when I have something "in stock". More often I built to*

customer order on a land that we sell. The thing happens that way: first man tells me what they're looking for. I drive him through Pantelimon, I show him what I've built and what I can do for them. After that I show him what land is available and if he seeks another area, I am looking for land in the area at market price and see how much the final sale price is. Then, after we agreed with the price of the land, I search an entrepreneur for him. Contractor is chosen according to seriousness and the price he offers me. I let the work of design and authorization to an architect. He handles all necessary documentation. Finally, when everything is finished, the man receives the keys. Along the way small changes can intervene if we agreed the price." We see, therefore, that in the small chain developer spinneret the collaboration between the two categories of stakeholders is engaged in good conditions.

The same cannot be said about operations that are sold without the acquirer can observe or supervise the work forward, when the developer's lack of seriousness may cause hazardous conditions for the life of anyone who wants to buy houses in Pantelimon. These cause some problems of the resistance structures, resulting from developer intentions to save on materials by underestimating resistance structure.

The south and southwest of the city is built on unstable ground, even on old deposits of debris resulting from the cleaning of the 1977 earthquake damage. Houses were built then, and they were sold by developers of Roma ethnicity from the village.

Scams are taking aggravating forms regarding connection to gas or water supply. In Pantelimon town, in some situations, the potential buyer can see appliances that run on gas pipes, connecting wires in the yard, without the agreement of gas sale issue to be specified. With the feeling that is a good deal, the buyer does not pay attention to this "small gaps" in the sale contract. But, after some time, it was found a failure in the gas supply. Distrigaz team is called, even if it records that the address is not listed as having a distribution contract. It finally appears that there is not a connection to the network and that the gas came from an ordinary gas tank buried in the backyard.

Such incidents have contributed to an increased mistrust towards the real estate developers in the area, distrust carried to the point where those who want to settle in the area prefer to buy a plot of land and install themselves an agreement with an entrepreneur. This contributes to an increased heterogeneity of architectural forms.

Interactions between town planner architect and investor take the appearance of a controlling relationship between who orders the work and his contractor. AS, architect, town planner, appreciates that: *"In a project the consulting represents 10%, 90% represents the execution of the architect"*. In other words, the aspect of consultation on the architectural product quality is a tiny part, what matters is the market supply of products to maximize the profit. Faced with this situation, even if he owns the necessary skills to determine the functional and aesthetic aspects of a project, the architect must make concessions. In fact, during the licensing process, no organization praises him to do efforts in that way. He must obey the existing urban regulation, with a minimum of cost.

Conclusions

The lack of an overall vision and of a medium and long term strategy regarding urban development and sectorial approach to this issue, to the detriment of a transversal approach, makes that qualitative aspects of the functional or aesthetic nature of new neighborhoods difficult. We note that to this competes a number of human or regulation aspects, too immobile and without any enforcement powers.

Peripheral urban fabric production translates into a fragmented urbanization which creates a strong imbalance between the benefits and costs of residential development in

suburban area. This presupposes high-income for entrepreneurs estate speculators (now) and additional costs for local authorities (now and in the future). This fact is possible because of a legal framework in which territorial development planning collective interest is subordinate to the rights of the individual property.

It also identifies the absence of a global vision, a coherent cooperation between public authorities, and an effective regulatory framework on residential lots and new developments in the spirit of general interest, which overrides on individual interest.

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