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German Planning System

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Structure

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General information

- 16 Federal states
- Until 1990: Divided
- Area: 357,169 km²
- Inhabitants: 80.925 million
  (30th June, 2014)
- Inhabitants/km²: 227

Source: http://www.hessenprojekt.schillerschule-darmstadt.de/Hessen/bundeslaender.htm
General information

- Disposable income of private households (per person, in €, 2009)

Source: Raumordnungsbericht 2011
Population development (blue: shrinking areas, yellow: stable areas, red: growing areas)

Source: Raumordnungsbericht 2011
General information

Types of settlement structures of districts:

- **Towns that are administered as a district in their own right:** Cities that have more than 100,000 inhabitants (67 districts, 23.1 million inhabitants, 12,158 km²)
- **Urban districts:** At least 150 inhabitants/km² (137 districts, 31.8 million inhabitants, 103,825 km²)
- **Rural districts (including bigger cities):** Between 100 and 150 inhabitants/km² (101 districts, 13.8 million inhabitants, 101,807 km²)
- **Rural districts:** less than 100 inhabitants/km² (97 districts, 11.8 million inhabitants, 139,370 km²)

Source: http://www.bbsr.bund.de, Stand 2012
General information

Diversification of development:

- Regional and nationwide movements
- Most movements to the economic successful regions
- Diversification of development: Development pressure especially in the urban agglomerations in Western Germany, different types of shrinking regions especially in Eastern Germany
- The average age in rural areas will be higher than in urban areas
German planning system

Hierarchy of Spatial Planning in Germany

Comprehensive Spatial Planning
- European Level
- Federal Level
- State Level
- Regional Level
- Municipal Level

Sectoral Spatial Planning
- Technical sectoral planning
  - Agricultural plans
  - Landscape Plans
  - Energy Plans
- Plans for Protection Areas (Land Use Restriction)
  - Water Protection
  - Nature Protection
  - Military Use
  - Flooding protection
- Large scale or special Plans
  - e.g. for motor ways, Airports, water streets, Land fill sites

More and more voluntary planning and instruments (e.g. City Development Concepts, etc)

Source: http://www.bole.bgu.tum.de/ (Keynote Prof. Magel)
German planning system

Affected by:
- the tradition of a decentralised state (federalism)
- self-governing local authorities

Based on a principle of "counter-current flows": a subordinate planning level must not contradict plans of the level above but at the same time the higher level must respect the concerns of the lower one.
Comprehensive spatial planning

Priority goals:
• Spatial planning should manage increasing land use conflicts.
• Special focus should be given on protection of resources, development of landscape, reduction of land consumption, development of renewable energy and its grids and on adaptation to climate change.
• Planning processes should become more open, transparent and acceptable by early participation of citizens.
Comprehensive spatial planning

Important legislation:
• **German federal Building Code [BauGB]**, divided into the General Urban Building Law, the Special Urban Building Law and further regulations.
  ➢ The General Urban Building Law: land-use planning, opening of new development areas, interlinkages between building and nature protection, urban contracts
  ➢ The Special Urban Building Law: urban renewal, urban development, urban redevelopment.
• **German land-use ordinance**
Comprehensive spatial planning

**Federal level (national planning):**
- only formulates **general objectives** (National Frame of Spatial Ordinance Policies)
- supervises the achievement of the **equality of living conditions** in all parts of the country
- to further **personal freedom**, to ensure the protection, care and development of the **natural environment** and to **keep open possible long-term land use options**
- assisted by a Standing Conference of the Planning Ministers of the Federal States [MKRO]
Comprehensive spatial planning

State level (state development programme):

Focal points:
• **Settlement structure**, e.g.
  ➢ Spatial classes
  ➢ Classes of towns
• **Open space structure**
  ➢ protection of open spaces (e.g. national parks)
  ➢ allowed action in open space (e.g. winning resources)
• **Axis of infrastructure**
Comprehensive spatial planning

Classes of towns (defined by the particular federal state)

- Major regional centre
- Medium regional centre

The definition of regional centres allows the central provision of public and private services:

- Major regional centre: E.g. university, hospital, museum, theatre, big stadium (> 15,000 places) and other sport facilities, shopping centre, higher institutions of banks, insurance companies, administration and judiciary, access to fast long distance trains, high level of employment

- Medium regional centre: E.g. Secondary school, library, medical specialists, sport facilities, shopping centre, banks, access to long distance trains

Source: Raumordnungsbericht 2011
Regional level (regional planning and spatial ordinance):

- Level between planning of the state and local planning.
- refers to an intersectoral and supra-local tier of planning
- Goals and Principles of Spatial Ordinance: Goals of Spatial Ordinance are binding on municipal plans and Principles of Spatial Ordinance have to be considered by the municipality.
Comprehensive spatial planning

Municipal level (preparatory land-use plan):

- is **obligatory for all municipalities**.
- **covers the whole area of the Municipality**
- **no direct external impact**
- **binds the municipality** (especially when it determines Binding Land-Use plans)
- supplemented by a Landscape Programme (environmental and recreational issues)
- **Contents**: **proposed distribution of different land uses** including housing, industry or other urban land uses and which areas have to be reserved as open spaces
- different grades of specificity
- achieves a strategic balance between different public and private interests relating to the limited area of land within the city boundaries
Municipal level (contents of the preparatory land-use plan, examples):

- **areas** designated for development according to general land-use types
- facilities and **infrastructure** for public and private provision of goods and services (e.g. schools, churches, health care, playgrounds)
- spaces for supra-local **transport** and the main local communications routes
- **spaces for public utility use, waste and water supply**
- **green spaces** (e.g. parks, sports grounds, cemeteries)
- **spaces to which use restrictions apply** (e.g. for water protection);
- **water bodies**, docks and spaces to be kept clear in the interests of flood control
- **agricultural land and woodland**;
- spaces for measures for the **protection**, preservation and development of **topsoil**, of the **natural environment** and of the **landscape**.

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Comprehensive spatial planning

Example: Preparatory land-use plan of Darmstadt (Hessen)
Municipal level (legally binding land-use plan):

- **core of the municipal planning autonomy**
- Binding land-use plans **have to be developed out of the preparatory land-use plan**
- **plot-specific regulations** concerning land use and building density and determine those parts of a plot on which may be built houses
- other possible regulations: e.g. building design, environmental protection measures
- On the other hand, the plans can be limited to a few simple regulations.
- **direct external impact**
Comprehensive spatial planning

Municipal level (contents of the legally binding land-use plan, examples):

- type and degree of building and land use
- coverage type, **plot areas which may** or may not be **built on** and the location of physical structures
- minimum and maximum dimensions of building plots
- spaces for secondary structures (e.g. play, leisure and recreational areas and car-parking spaces)
- spaces to be kept free from built development, with their use
- **public thoroughfares** including pedestrian areas, parking spaces, etc.
- spaces for local public infrastructure
- spaces for waste disposal and drainage, including rainwater retention and seepage, and for tipping
- public and private green spaces
- water bodies and spaces for flood control
- agricultural land and woodland
- measures for the protection, conservation and development of topsoil, of the natural environment and of the landscape
Comprehensive spatial planning

Municipal level (contents of the German land-use ordinance, examples):

Type of land-use

• Preparatory land-use plan:
  ➢ Residential development zone (Wohnbaufläche)
  ➢ Mixed development zone (Gemischte Baufläche)
  ➢ Commercial development zone (Gewerbliche Baufläche)
  ➢ Special development zone (Sonderbaufläche)

• Legally binding land-use plan:
  More detailed, e.g.:
  ➢ Residential zone, general (Wohngebiet, allgemeines)
  ➢ Residential zone, special (Wohngebiet, besonderes)
  ➢ Residential zone, pure (Wohngebiet, reines)
Municipal level (contents of the German land-use ordinance, examples):

- **Degree of land-use for building purposes**
  - plot coverage \([\text{m}^2]\) or **plot coverage index**
  - floor space \([\text{m}^2]\) or **floor space index**
  - (maximum) **number of floors**
  - (maximum) height of the building
  - **Cubic index**

- **Coverage type**
  - **open** coverage type (single-unit detached houses, semi-detached houses, terrace houses up to 50 m)
  - **closed** coverage type

- **Plot area to be built on**
  - **Fixing building line**
  - **set-back line**
  - **distance space**
Comprehensive spatial planning

Example: Legally binding land-use plan

- parts of the parcel that may be covered by premises
- area for traffic infrastructure
- type of use (only housing)
- ratio of covered area to parcel area
- number of floors
- ratio of total floor area to parcel area
Voluntary planning and instruments

Actual (voluntary) instruments for rural development

- **LEADER** («Liaison entre actions de développement rural», part of the European Agricultural Fund for Rural Development (EAFRD))

- **ILE** («Integrierte ländliche Entwicklung = integrated rural development», following the German framework plan of the joint task program of the Federal government and the states for the improvement of the agrarian structure and the coastal protection)
  - ILEK (integrated rural development concept)
  - Regional management (RM)
  - Realization LEADER
  - Village renewal and development
  - Land consolidation
Instrument LEADER («how to proceed»)

- **Area-based regional development strategies** (homogenous, socially cohesive territory)
- **Bottom-up approach** (local actors participate in decision-making)
- Public–private partnerships: The local action groups (LAGs), LAG has the task of identifying and implementing a local development strategy, making decisions about the allocation of its financial resources and managing them
- **Facilitating innovation** (e.g. introduction of a new product, a new process, a new organization or a new market)
- Integrated and **multi-sectoral actions** (links between the different economic, social, cultural, environmental players and sectors involved)
- **Networking** (European and national network; local or regional networks)
- **Co-operation** (joint project)
Voluntary planning and instruments

Instrument ILEK

- Definition of development objectives
- Determination of fields of action
- Determination of development strategies to achieve the defined objectives
- Description of priority development projects
Voluntary planning and instruments

Instrument Regional management (RM)

- Initiation, organization and attendance of rural development processes
- Information, consulting and activation of the population
- Identification and development of regional potentials
- Identification and support of target-oriented projects

(The formulation of an ILEK may form part of the RM. ILEK and regional management may be used to support the realization of LEADER-Projects. In several federal states exist intersections of LEADER, ILEK and RM.)
Voluntary planning and instruments

Instrument Village renewal and development

- Formulation of guiding principles
- Creation of perspectives for public and private investments
- Development of the living, work, social and cultural area
- Initiation of voluntary engagement
- Adaption of the local infrastructure
- Consideration of ecological aspects and design

(Important legal norms: Administrative regulations in the federal states, Land Consolidation Act, ILE/LEADER)
Instrument Land consolidation

- Tool to **support the rural development** (e.g. improving the production and working conditions in agriculture and forestry, adaption of infrastructure, support of tourism and renewable energies)
- Legal norms: Land Consolidation Act, Agriculture Restructuring Act
- The land consolidation procedure may include village renewal or development measures
Voluntary planning and instruments

Problems

• LEADER: **Based on SWOT-Analysis** (oftentimes missing e.g. health care or education infrastructure), based on **regional potentials (must not be identical to local potentials)**, only punctual honorary engagement (must be initiated in every village), «caretaker» is missing

• ILEK and RM: **Detailed analysis is missing, missing a comprehensive solution** taking into account all tasks mentioned, frequently **wrong scale** of ILE-Regions (too small to create regional value added, too big to manage the consequences of shrinking)

• Village development: **perpetuation of voluntary engagement is needed (caretaker), coordination/integration of the different instruments is missing**, on the one hand a **regional concept** is needed and on the other hand an **action plan on the local level**

• In conclusion: **Many intersections** of the different instruments, **no comprehensive solution**, oftentimes **wrong scale**, **missing a caretaker**
Voluntary planning and instruments

Proposal of a new structure

**PROCESS**

- **LEADER**
  - Regional value added
  - Regional identity

**OBJECTIVES**

- Creation/change of awareness
- Communal adaptation strategy

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**Regional level**
- Region
  - District
  - District
  - AM
  - AM

**Association of municipalities**
- AM

**Municipality**
- AM

**Village conversion**
- Social development
  - Inner development of villages

Source: DLKG 2012
Voluntary planning and instruments

Metropolitan regions as a concept of the German spatial development policy

- "engines of societal, economic, social and cultural development"
- include one or more urban areas, as well as satellite cities, towns and intervening rural areas that are socio-economically tied to the urban core
- defined by the Standing Conference of the Planning Ministers of the Federal States

Source: www.wikipedia.de
Voluntary planning and instruments

Classification of metropolitan functions (pursuant to Federal Institute for Research on Building, Urban Affairs and Spatial Development, 2011)

- **politics** (indicator groups: political institutions and parties, social movements, lobby groups and various non-governmental organisations with their impacts on state, society and political decisions)
- **economy** (indicator groups: enterprises, advanced producer services, banks, markets [fairs]).
- **science** (indicator groups: education and research [Top-500 universities], scientific communication [international research and technical-scientific associations, scientific journals] and entrepreneurship and innovation [patent applications])
- **transport** (indicator groups: air passenger transport, air freight transport, long-distance passenger rail transport, maritime goods transport, data traffic)
- **culture** (indicator groups: arts and sports)
Conclusion

- Diversification of development: Development pressure especially in the urban agglomerations in Western Germany, different types of shrinking regions especially in Eastern Germany
- Comprehensive spatial planning: Federal level, state level, municipal level (preparatory and legally binding land-use plan)
- Voluntary instruments:
  - LEADER
  - ILE (ILEK, RM, realization LEADER, Village renewal, land consolidation)
  - Metropolitan regions