

**INSTITUT WAR — Bibliothek —**  
Wasserversorgung, Abwassertechnik  
Abfalltechnik und Raumplanung  
Technische Universität Darmstadt  
Petersenstraße 13, 64287 Darmstadt  
TEL. 0 61 51/16 36 59 + 16 27 48  
FAX 0 61 51/16 37 58

05.2 EVC-E

Technische Universität Darmstadt  
Bibliothek Wasser und Umwelt  
Petersenstraße 13  
D-64287 Darmstadt  
Telefon 06151 / 163659  
Fax 06151 / 163758

## Regional development studies

# The EU compendium of spatial planning systems and policies France



# Contents

---

|  |    |
|--|----|
| <b>Compendium's objectives .....</b>                                   | 15 |
| <br>   |    |
| <b>A. OVERVIEW OF THE PLANNING SYSTEM.....</b>                         | 19 |
| <br>   |    |
| <b>Summary .....</b>   | 19 |
| <br>   |    |
| <b>Context and principles .....</b>                                    | 21 |
| Constitution, legislation and judicial system.....                     | 21 |
| Development process and market circumstances.....                      | 22 |
| Economic development .....   | 22 |
| Environmental policy .....   | 23 |
| European Union.....  | 23 |
| Flexibility .....  | 24 |
| Government structure and powers.....                                   | 24 |
| Central government .....   | 24 |
| Local authorities .....  | 24 |
| Land policy and land/building quality .....                            | 26 |
| Land reserves .....  | 26 |
| Compulsory purchase in the public interest.....                        | 26 |
| Pre-emption rights .....   | 26 |
| Development and marketing.....   | 28 |
| Fiscal policy and land supply.....                                     | 28 |
| Restricted building rights .....                                       | 28 |
| Plan led/development led system.....                                   | 28 |
| Policy priorities .....  | 28 |
| Political system, administrative system and public participation ..... | 29 |
| Population and statistics.....   | 30 |
| Sectoral policy .....  | 30 |
| <br>   |    |
| <b>Trends .....</b>  | 31 |
| Central power/local power.....   | 31 |
| Flexibility/certainty .....  | 32 |
| Government structure.....  | 32 |
| Policy trends.....   | 32 |

|  |    |
|--|----|
| <b>B. MAKING AND REVIEWING PLANS AND POLICIES.....</b>   | 33 |
| <b>Summary .....</b>   | 33 |
| <b>Policy institutions.....</b>  | 36 |
| National government institutions.....  | 36 |
| DATAR .....  | 36 |
| <i>Comité interministériel permanent pour l'aménagement du territoire (CIAT) .....</i>         | 36 |
| <i>Conseil national de l'aménagement du territoire (CNAT) .....</i>                            | 36 |
| <i>Délégation interministérielle à la ville et au développement social urbain (DIV) .....</i>  | 36 |
| <i>Comité interministériel des villes et du développement social urbain (CIV) .....</i>        | 36 |
| <i>Conseil national des villes et du développement social urbain (CNV) .....</i>               | 36 |
| <i>Conseil national de la montagne (CNM) .....</i>   | 37 |
| <i>Commissariat général au Plan .....</i>  | 37 |
| <i>Ministère de l'équipement, du logement et des transports .....</i>                          | 37 |
| <i>Ministère de l'environnement .....</i>  | 37 |
| <i>Comité interministériel de l'environnement .....</i>  | 37 |
| Other ministries responsible for sectoral policies linked to planning and development.....     | 37 |
| Departments of regional administration .....   | 38 |
| <i>Préfet de Région .....</i>  | 38 |
| <i>Préfet de Département .....</i>   | 38 |
| Deconcentrated services of the State.....  | 38 |
| The administration of the region as a local authority .....                                    | 39 |
| The administration of the <i>département</i> as a local authority.....                         | 39 |
| Regional government institutions .....   | 40 |
| <i>Missions d'aménagement .....</i>  | 40 |
| <i>Conseils de l'architecture, de l'urbanisme et de l'environnement (CAUE) .....</i>           | 40 |
| <i>Commission départementale de conciliation en matière de documents d'urbanisme .....</i>     | 40 |
| Governmental agencies .....  | 41 |
| Local government institutions .....  | 41 |
| >The commune .....   | 41 |
| Local government joint authorities in general.....   | 41 |
| <i>Communauté urbaine .....</i>  | 41 |
| <i>Communauté de villes .....</i>  | 41 |
| Other institutions.....  | 41 |
| Professional bodies.....   | 41 |
| <i>Agence d'urbanisme .....</i>  | 41 |
| <b>Policy instruments .....</b>  | 42 |
| National level .....   | 42 |
| <i>Plan de développement économique et social de la nation .....</i>                           | 42 |
| <i>Schémas directeurs d'infrastructures.....</i>   | 42 |
| Example: the <i>schéma routier national .....</i>  | 43 |
| <i>Carte des formations supérieures et de la recherche .....</i>                               | 43 |
| Regional level.....  | 43 |
| <i>Plan de la région .....</i>   | 43 |
| <i>Contrat de plan Etat-région .....</i>   | 44 |
| Example: the <i>contrat de plan</i> between the State and the Nord-Pas de Calais region.....   | 44 |
| Principal sectoral planning documents produced by the regions .....                            | 45 |
| Principal sectoral planning instruments produced by the départements.....                      | 45 |
| Sectoral planning documents drawn or approved by the prefect.....                              | 45 |
| Physical planning instruments of regional significance.....                                    | 46 |
| <i>Schéma de mise en valeur de la mer .....</i>  | 46 |
| <i>Directive de protection et de mise en valeur des paysages .....</i>                         | 46 |
| Local level.....   | 47 |
| <i>Schéma directeur.....</i>   | 47 |
| Example: the <i>schéma directeur</i> of the Lille metropolitan area (département du Nord)..... | 48 |
| <i>Schéma de secteur .....</i>   | 49 |
| <i>Plan d'occupation des sols .....</i>  | 49 |

|  |    |
|--|----|
| Example: <i>Plans d'occupation des sols</i> of Ajaccio (southern Corsica) and of Saint-Palais-sur-Mer (Pyrénées-Atlantiques) ..... | 53 |
| Urban planning documents serving as a <i>POS</i> .....   | 53 |
| <i>Règles générales d'urbanisme</i> .....  | 55 |
| Appeals against urban planning documents.....  | 55 |
| <i>Programme local de l'habitat</i> .....  | 56 |
| <i>Plan de déplacements urbains</i> .....  | 56 |
| <i>Charte intercommunale de développement et d'aménagement</i> .....   | 56 |
| Development rights.....  | 57 |
| Fee for exceeding the <i>plafond légal de densité</i> .....  | 57 |
| <i>Certificat d'urbanisme</i> .....  | 57 |
| <b>C. REGULATIONS AND PERMITS</b> .....  | 59 |
| <b>Summary</b> .....   | 59 |
| <b>Main permit</b> .....   | 60 |
| Status .....   | 60 |
| Geographic coverage .....  | 61 |
| Practical coverage .....   | 61 |
| Duration.....  | 61 |
| Obligations of the holder of a <i>permis de construire</i> .....   | 61 |
| Control of conformity .....  | 61 |
| Penal liability .....  | 61 |
| Financial obligations.....   | 62 |
| <i>Taxe locale d'équipement</i> .....  | 62 |
| Other taxes of the same nature.....  | 62 |
| Contributions towards the implementation of a programme <i>d'aménagement d'ensemble</i> .....                                      | 62 |
| Contributions of developers in a ZAC.....  | 62 |
| Lump sum payments of subdividers.....  | 62 |
| Other financial contributions bound to a <i>permis de construire</i> .....   | 63 |
| Limitations on the possibility to impose public infrastructure costs on building contractors.....                                  | 63 |
| <b>Application for a <i>permis de construire</i></b> .....   | 63 |
| Content.....   | 63 |
| Procedure .....  | 64 |
| Conditions of eligibility to apply for a <i>permis de construire</i> .....   | 64 |
| Time limits .....  | 64 |
| Advertisement .....  | 64 |
| Costs .....  | 64 |
| <b>Processing the application</b> .....  | 64 |
| Procedure .....  | 64 |
| The nature of the decision.....  | 64 |
| Time limits .....  | 65 |
| Consultations .....  | 65 |
| <i>Permis tacite</i> (deemed permission).....  | 65 |
| Compensation .....   | 65 |
| <b>Conditions attached to the <i>permis de construire</i></b> .....  | 67 |
| <b>Rights of appeal</b> .....  | 67 |
| Status .....   | 67 |
| Conditions and grounds of appeal .....   | 67 |
| Procedure .....  | 68 |

|  |    |
|--|----|
| <b>Other permits.....</b>  | 68 |
| <i>Permis de démolir</i> (demolition permit) .....   | 68 |
| <i>Autorisation de lotir</i> (subdivision permit) .....  | 68 |
| <b>Exceptions .....</b>  | 69 |
| <b>Departures from the plan/amendments .....</b>   | 69 |
| <b>Enforcement procedures.....</b>   | 69 |
| <b>Area of regulation .....</b>  | 70 |
| <b>Unauthorised use and development.....</b>   | 70 |
| <b>Regulation and development illustrations .....</b>  | 70 |
| Example of a commercial development: the zone <i>d'aménagement concerté</i> of the French Channel Tunnel terminal.....                               | 70 |
| Example of a housing development scheme: the ZAC 'Paris-Seine-Rive-Gauche' .....   | 71 |
| Example of an industrial development: the development of the Plaine-Saint-Denis (département de Seine-Saint-Denis, northern outskirts of Paris)..... | 72 |
| Other example: Euralille and Projenor, financial partners of the public authorities of the Nord-Pas de Calais.....                                   | 73 |
| <b>D. AGENCIES AND MECHANISMS FOR DEVELOPMENT AND CONSERVATION .....</b>   | 75 |
| <b>Summary .....</b>   | 75 |
| <b>Development.....</b>  | 76 |
| Regional economic development.....   | 76 |
| Interventions on the location of business activities .....   | 76 |
| Economic reconversion and industrial restructuring.....  | 76 |
| Policy measures in favour of regional and local development .....  | 77 |
| Local economic development.....  | 78 |
| Aids in favour of the location of business activities .....  | 78 |
| Tax exemptions.....  | 78 |
| The competence of local authorities regarding financial grants and incentives to companies.....  | 78 |
| Urban development .....  | 79 |
| Development projects and actions programmes: general provisions .....  | 79 |
| The zone <i>d'aménagement concerté</i> (ZAC) .....   | 79 |
| Zone à urbaniser par priorité (ZUP) .....  | 82 |
| Secteur <i>d'aménagement</i> .....   | 82 |
| Development projects in existing districts.....  | 82 |
| Property rehabilitation programmes .....   | 82 |
| The opérations programmées d'amélioration de l'habitat (OPAH) .....  | 83 |
| Politique de la ville (urban policy).....  | 83 |
| Public sector development policies .....   | 83 |
| Development projects of national interest.....   | 83 |
| Villes nouvelles (New Towns).....  | 84 |
| International events.....  | 84 |
| Major infrastructure.....  | 84 |
| Partnerships.....  | 84 |
| Tourism development.....   | 84 |
| Rural development.....   | 85 |
| Special agencies.....  | 85 |
| Development organisations in general .....   | 85 |
| <i>Etablissement public</i> .....  | 85 |

|   |            |
|---|------------|
| Sociétés d'économie mixte.....  | 86         |
| Associations foncières urbaines .....   | 87         |
| <b>Protection and conservation of the environment .....</b>   | <b>88</b>  |
| Protection of nature.....   | 88         |
| Protection of natural monuments and sites .....   | 88         |
| <i>Espaces naturels sensibles</i> (environmentally sensitive areas).....  | 88         |
| Mountainous areas .....   | 89         |
| Conservation.....   | 89         |
| Regional nature parks.....  | 89         |
| Natural reserves .....  | 90         |
| National nature parks.....  | 90         |
| Coastal planning.....   | 90         |
| The necessary balance between coastal conservation interests and urban development.....   | 90         |
| <i>Conservatoire de l'espace littoral et des rivages lacustres</i> (Conservation agency for coastal and lake areas) .....   | 91         |
| Urban conservation .....  | 91         |
| <i>Zones de protection du patrimoine architectural, urbain et paysager (ZPPAUP)</i> (zones for the protection of the architectural, urban and environmental heritage) ..... | 91         |
| Preservation and conservation of historic buildings .....   | 92         |
| Resource planning.....  | 92         |
| Water resources.....  | 92         |
| Waste .....   | 93         |
| <b>E. OVERVIEW OF SPACIAL PLANNING IN PRACTICE .....</b>  | <b>95</b>  |
| General characteristics of the <i>aménagement du territoire</i> policy .....  | 95         |
| Policies covered by the <i>aménagement du territoire</i> .....  | 95         |
| The relationships between the actors of the policy of <i>aménagement du territoire</i> .....  | 96         |
| The current policy trends governing the policy on <i>aménagement du territoire</i> .....  | 97         |
| Sectoral policies and case studies .....  | 99         |
| <b>F. SECTORAL POLICIES .....</b>   | <b>101</b> |
| <b>F1. Commercial development .....</b>   | <b>101</b> |
| The significance of commerce and craft industries within the context of the planning system.....  | 101        |
| The respective competences of the State, local authorities and the European Union .....   | 101        |
| Policy trends regarding commercial activities and craft industries of relevance to the <i>aménagement du territoire</i> policy .....  | 103        |
| The control of development of large retail schemes .....  | 103        |
| The maintenance of a balance between different types of commercial activity in urban areas and the revitalisation of urban areas at risk .....                              | 103        |
| The revitalisation of rural areas at risk .....   | 104        |
| <b>F2. Economic development .....</b>   | <b>105</b> |
| Economic development and planning.....  | 105        |
| The national strategy on <i>aménagement du territoire</i> and economic development policy .....   | 105        |
| Interventions on the location of activities.....  | 107        |
| Location aids .....   | 107        |
| The aid fund towards decentralisation .....   | 108        |
| The relocation of public functions .....  | 108        |
| Tele-working.....   | 108        |
| Interventions in priority areas .....   | 108        |
| Infrastructure provision.....   | 110        |
| The <i>contrats de plan Etat-région</i> , the correction of economic disparities and local development .....  | 111        |
| <b>F3. Environmental policy .....</b>   | <b>112</b> |
| Environmental policy and planning .....   | 112        |
| The principal actors of environmental policy.....   | 113        |
| Natural risk prevention.....  | 114        |

|   |            |
|---|------------|
| Water policy.....   | 114        |
| Nature parks and environmental protection measures .....  | 115        |
| <b>F4. Heritage .....</b>   | <b>116</b> |
| Heritage policy and the <i>aménagement du territoire</i> .....  | 116        |
| Principal actors concerned.....   | 116        |
| The place of heritage in the <i>aménagement du territoire</i> policy.....                                     | 117        |
| The levelling of cultural public expenditure between Paris and other regions.....                             | 117        |
| The General Inventory and the Cultural Atlas .....  | 118        |
| The development of cultural facilities throughout the French territory.....                                   | 118        |
| <b>F5. Housing.....</b>   | <b>120</b> |
| Housing in the context of <i>aménagement du territoire</i> .....  | 120        |
| The housing policy of the State: actors and levels of intervention .....                                      | 121        |
| The European Community: a growing intervention relating to the <i>politique de la ville</i> (urban policy)... | 122        |
| The <i>politique de l'habitat</i> (housing policy), the local authorities and the State .....                 | 122        |
| <b>F6. Industrial policy .....</b>  | <b>124</b> |
| Industrial policy within the context of the planning system.....  | 124        |
| Industrial restructuring .....  | 124        |
| Company modernisation and support to SMEs .....   | 125        |
| <b>F7. Leisure and tourism .....</b>  | <b>127</b> |
| The role of tourism in the planning system .....  | 127        |
| The respective roles of the State and local authorities and the involvement of the European Union ..          | 127        |
| The territorial development of tourism .....  | 129        |
| The sectoral policies attached to tourism development .....   | 129        |
| <b>F8. Natural resources.....</b>   | <b>130</b> |
| Spa towns .....   | 130        |
| <b>F9. Transport policies.....</b>  | <b>130</b> |
| Transport policy and planning.....  | 130        |
| The role of the European Union .....  | 131        |
| National policy .....   | 131        |
| Regional and local policies .....   | 132        |
| <b>F10. Waste management and pollution .....</b>  | <b>133</b> |
| Waste management and planning policy .....  | 133        |
| The role of the State .....   | 134        |
| The role of local authorities .....   | 135        |
| The role of industry.....   | 135        |
| <b>APPENDICES .....</b>   | <b>137</b> |
| Appendix I: Glossary.....   | 137        |
| Appendix II: Acronyms and abbreviations.....  | 145        |
| Appendix III: Addresses and telephone numbers.....  | 147        |
| Appendix IV: General sources of information, references and legislation.....                                  | 151        |