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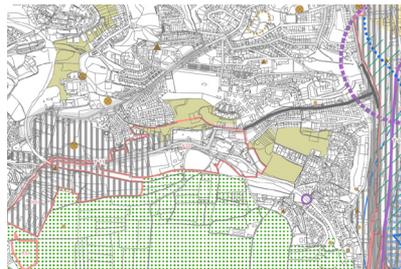
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TOWN AND COUNTRY PLANNING IN THE CZECH REPUBLIC

This brochure contains basic information about the Czech planning system and planning documentation. Information included in the brochure however do not cover all possible scenarios due to efforts to achieve clarity and comprehensibility. Its purpose is to provide a basic overview.

The Law

The most important law governing town and country planning and construction authorisation in the Czech Republic is Act no. 183/2006 Coll. on town and country planning and the building code (Building Act), as amended.

Town and Country Planning Objectives

Town and country planning creates preconditions for construction and sustainable territorial development. Its objective is to achieve general beneficial harmony of public and private priorities in territorial development. Town and country planning with the public interest in mind protects and further develops the natural, cultural, and civic values of land, including the urban, architectural, and archaeological heritage, while protecting the landscape at the same time.

Town and Country Planning Tasks

The main task of town and country planning is to identify and assess the land condition and its values, to determine the territorial development strategy and use and spatial requirements, to examine and assess the required territorial changes, to create conditions for risk reduction with regard to environmental and natural disasters and for the elimination of its impacts, or to specify necessary redevelopment interventions. Another task of town and country planning is to assess the impacts of different concepts on sustainable spatial development.



Town and Country Planning Instruments

Town and country planning instruments are used to promote the tasks and objectives of town and country planning on a national, regional, and local level. Town and country planning instruments include spatial development policy, planning data and documentation, planning permission and its proceedings, planning measures on building bans and planning measures on redevelopment, pre-emption rights and compensation for alteration within the area.

Spatial Development Policy (1)

Spatial development policy stipulates the Republic's priorities of town and country planning, determines development areas and axes, and specific areas and corridors of the transport and technical infrastructure of national importance.

Spatial development policy is compulsory for the whole territory of the Republic and is approved by the Government. It is binding for procurement and issuance of development principles, plans, regulatory plans, and for decision-making in the area.

Development Principles (2)

Development principles delimit the areas and corridors of supra local importance and determine the requirements for their utilization, plus they coordinate the planning activities of municipalities.

Development principles are procured for the whole territory of the administrative region. They are binding for procurement and issuance of the plans, regulatory plans and for decision-making in the area.

Plan (3)

The plan determines the basic concept of the development of the municipality, protection of its values, its areal and spatial arrangement, and arrangement of the landscape. The plan delimits the developed area, areas with development potential and the areas delimited for the alteration of existing development, and determines the conditions for utilization of these areas.

The procurement of the plan is not mandatory. If it is procured, it applies to the whole territory of the municipality and it is binding for issuance of the regulatory plan and for decision-making within the area.

Regulatory Plan (4)

The regulatory plan determines the detailed conditions for the use of the grounds and for the location and spatial arrangement of structures (e.g. the street lines and height of structures).

The procurement of the regulatory plan is not mandatory. If it is procured, it applies to the given territory of the municipality and it is binding for decision-making within the area.

Planning Analytical Materials (5)

The planning analytical materials contain the ascertainment and assessment of the state and development of the area, its values and limitations, programmes for executing the changes in the area, assessing the area sustainable development, and determination of problems for solution.

It is mandatory for all regions and municipalities to procure planning analytical materials. They are not binding, however, they form the basis for the planning documentation. The materials are continuously updated.

Planning Study (6)

The Planning study suggests, examines and considers possible solutions of selected problems or selected parts of the area.

Planning studies are procured as needed, for selected parts of the area. They are not binding, however, they form the basis for decision-making.

Town and Country Planning System

The land planning system in the Czech Republic is hierarchical. Higher level planning documentation is binding for the lower level planning documentation. Lower level planning documentation conflicting with subsequently commissioned higher level documentation shall not apply. Generally, the higher level planning documentation should not include details concerning issues that belong to the lower level, which involves more detailed documentation. The scope of competence of different planning authorities is hierarchical as well – from the ministries to the regional and local authorities.

Participants in Planning

The planning process involves politicians (they initiate the procurement of planning documentation and decide on its approval), officials (e.g. municipal offices with extended powers procure plans and relevant authorities comment on them) and designers (who process the documentation). Processing of planning documentation or of planning permission documentation or project documentation as well as professional construction supervision will only be carried out by authorized individuals.

The process of issuance of binding planning documentation involves the engagement of the general public (citizens and civil society organizations). Real estate owners may present objections to the draft documentation and anyone may present their comments. All comments and objections must be addressed. The general public is in some cases actively engaged in the creation of planning documentation.