



## Documentation Regional development instruments

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Interreg III B

### General Data

<b>Name of instrument:</b>	Building permits (Permis de construire ou déclaration de travaux)
<b>Country / region:</b>	FR
<b>Spatial level:</b>	local
<b>Type:</b>	Laws and regulations
<b>Subtype:</b>	Legal codes
<b>Description:</b>	<p>The building permits are administrative authorisations which note that a project of construction is in conformity in particular with the rules of town planning (PLU, etc). The building permit is required, on the whole of the territory, for all the building work to use of dwelling or not, including constructions not comprising foundations, as for work relating to existing constructions which cause to change the destination it, to modify the appearance or their volume or to create additional levels of it. Are not subjected to authorization that works of low importance, as for example the works whose surface on the ground is lower than 2 m<sup>2</sup> and a height lower than 1,5 meter. But are subjected to preliminary declaration certain building works of low importance, which do not change the destination of a construction and does not create new surface.</p> <p>In the communes having a local urban planning document, the decision is generally taken by the mayor, in the name of the commune. The building permit has one period of two years validity. The request for building permit specifies in particular the situation and the surface of the ground, the nature of work, the destination of constructions and the building density. The study of the permit specifies if the project presented is in conformity or not with the rules in force and thus to determine the direction of the decision to take. It is carried out directly by the services of the proper authority to make the decision or by those of the organization having received delegation with this intention (e.g. departmental direction of the equipment for the communes without PLU). But because of the proliferation of the administrations intervening in the construction deed, the service instructor is held to inform the other services or authorities concerned with the request of permit building or to consult them to obtain their report on the project.</p>
<b>General objectives:</b>	Check that new constructions are in conformity with the urban planning documents of the commune
<b>General Objectives keywords:</b>	building regulations ;
<b>Responsible:</b>	Local authority/Municipal council
<b>Stakeholder Involved:</b>	Private individuals
<b>Stakeholder Involved:</b>	Entrepreneurs/businessmen

<b>Reference:</b>	Urban Planning code
<b>General assessment of strength and weakness:</b>	<p>Nearly 500 000 requests for building permits are treated each year, giving place to the delivery of approximately 400 000 licences, of which:</p> <ul style="list-style-type: none"> <li>- 200 000 for the construction of houses (140 000 deposited by the private individuals themselves and 60.000 deposited by a professional)</li> <li>- 20 000 for the construction of multifamily apartments</li> <li>- 70 000 for the construction of the professional buildings and activity</li> <li>- the others licence correspond to modifications, enlargings, changes of destination.</li> </ul> <p>That means that some building permits are refused, so much for nonrespect of the procedures than for nonconformity to the provisions of town planning. The heaviness of the procedure and the consultations necessary makes essential a reform of the building permits, which is actually planned and will be implemented in 2007. It consists in simplifying the procedures and focuses on critical aspects for the quality of construction, as for example insertion in the landscape. Currently, the recourse to an architect is obligatory for all constructions, except for the constructions for less than 170 m<sup>2</sup>, carried out by a person for her own account. The presence of an architect is a guarantee that the questions touching with the insertion of constructions in the landscape were taken into account. It is thus possible in this case to reduce the landscape compatibility of the request of licence which the applicant must provide.</p>
<b>Metadata:</b>	<p>Date of entry: 2007/03/13</p> <p>Contact: Ifuplan, Schleißheimer Str. 156, 80797 München</p>
<b>Implementation</b>	
<b>Legal status:</b>	mandatory for responsible body AND mandatory for end-user
<b>Extension:</b>	all municipalities
<b>Type of monitoring:</b>	Mixture of quantitative and qualitative reporting
<b>Assessment</b>	
Relevance	
<b>Status:</b>	weak indirect relevance
<b>Ranking:</b>	1
<b>Remark:</b>	-
Acceptance	
<b>Status:</b>	municipal administration. Local economy, environmental NGOs, municipal residents, superordinate administrations
<b>Ranking:</b>	5
Implementation	
<b>Status:</b>	-
<b>Ranking:</b>	5
<b>Remark:</b>	Legal requirement
Feasibility	
<b>Status:</b>	-
<b>Ranking:</b>	0
<b>Remark:</b>	Not applicable as Building permits are part of the implementation of the PLU
Effectiveness	
<b>Status:</b>	-

<b>Ranking:</b>	4
<b>Remark:</b>	Building permits are fulfilling their objectives of regulating the constructino process, but are not appropriate instruments to steer sustainable land use.