

# Planning and Development Law in the Netherlands. An Introduction



# **Planning and Development Law in the Netherlands**

## **An Introduction**

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# Preface

This text deals with the basics of Dutch Planning and Development Law. The emphasis in this textbook is on the urban scale of planning and development. Seen from the viewpoint of statutory law (and in practice) urban projects can be considered to be of major importance for Dutch planning and development. Furthermore, national and provincial governments have less powers than municipalities. Therefore, less attention will be given to the regional and national scales.

As the words 'planning and development' in the title indicate, this book is not confined to a description of the formal system of planning. It also examines the implementation of plans. This is the 'development side' and includes, among other things, the interrelations between local authorities and property developers. In an era in which governments do not have the resources to unilaterally direct spatial developments, it seems appropriate to give attention to planning as well as development.

*Planning and Development Law in the Netherlands* is primarily intended for students of the Built Environment disciplines in the Netherlands. More specifically, it is written for students taking programs in disciplines such as Management in the Built Environment, Regional and Urban Design, Real Estate, Planning, Construction Management, Planning Law, Urban Development, Property Development or Policy Sciences. Due to the internationalisation of education in the Netherlands, many of these courses nowadays are taught in the English language. However, up till now a concise legal overview in the English language was missing. This book aims to fill that gap and seeks to provide for the basic knowledge and understanding.

There is yet another group to whom this book is of interest. At international conferences the Netherlands is not seldom seen by the international attendants as a model country in the field of spatial planning. The Netherlands has a strong international reputation regarding spatial planning. Its mature system of land-use planning always draws attention from abroad. The interest stretches out as far as the legal aspects of Dutch planning and development. Information in Dutch language is, of course, of limited significance for those interested. This textbook in the English language may be useful for international researchers or practitioners seeking information about Dutch Planning and Development Law.

This book aims at describing the Dutch regulatory framework for planning and development. It does not have the intention to make a systematic comparison of the Dutch legislative framework with other countries' legal frameworks. However, some readers may be interested in comparative issues. Therefore, international comparative observations are made throughout the text.

As the subtitle of this book shows, this is an introductory text. It concentrates on basic principles and not on details. It is not a full discussion of planning and development law, but seeks to be an accessible introduction to this extensive field. There is much more to say about any of the topics included. The footnotes may be a first step to help readers who seek more information. However, for reasons of clarity we avoided abundant use of footnotes. We are aware of the fact that the vast majority of literature referred to in the footnotes is written in Dutch. This is due to the fact that there is only limited literature regarding Dutch planning and development law available in English. Of course, for the Dutch readers of this textbook the reference to Dutch literature will not be problematical.

Chapters 1 through 6 are written by Fred Hobma. Chapter 7 is written by Pieter Jong.

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