

INTRODUCTION TO THE HUNGARIAN SPATIAL PLANNING SYSTEM

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1. The planning system - levels of government and their responsibilities

Hungary is a unitary state with two levels of sub national government; 19 counties and the capital region of Budapest constitute the regional level and 3,178 municipalities form the local level. The national government has several responsibilities related to spatial planning:

- (1) Preparing the national framework legislation that structures planning at the national and subnational level.
- (2) Enacting the *National Spatial Plan*, the two existing *Spatial Plans for Special Regions* and *Cross-border Spatial Plans*.
- (3) Using financial instruments and allocates its budget to shape the spatial structure of the country.
- (4) Providing opinions on regional and local spatial plans and approves them with respect to their congruence with higher level spatial plans. This task is delegated to the *State Chief Architects* within the regional *Government Offices*, i.e. the deconcentrated parts of the national administration.

County governments are primarily responsible for the preparation and enactment of the Spatial Plans for Counties. They also provide opinions on the National Spatial Plan and the Spatial Plans for Special Regions that concern their territory.

Local governments enact Settlement Structural Plans and related building regulations that complement the plans. They are also the primary contact point for public engagement in the planning process. Furthermore, they have several special legal instruments at their disposal that they can use to shape the spatial structure in their territory, such as special proceedings, prohibitions and plot read justments.

2. Spatial and land-use plans

Hungary has a hierarchical planning system with three or four levels of spatial plans depending on the region. At the highest level, the *National Spatial Plan* contains a mix of general guidelines, strategic plans and small scale land-use plans. These are legally binding documents that are approved by a vote of parliament.

Organisation of spatial and land-use planning in Hungary

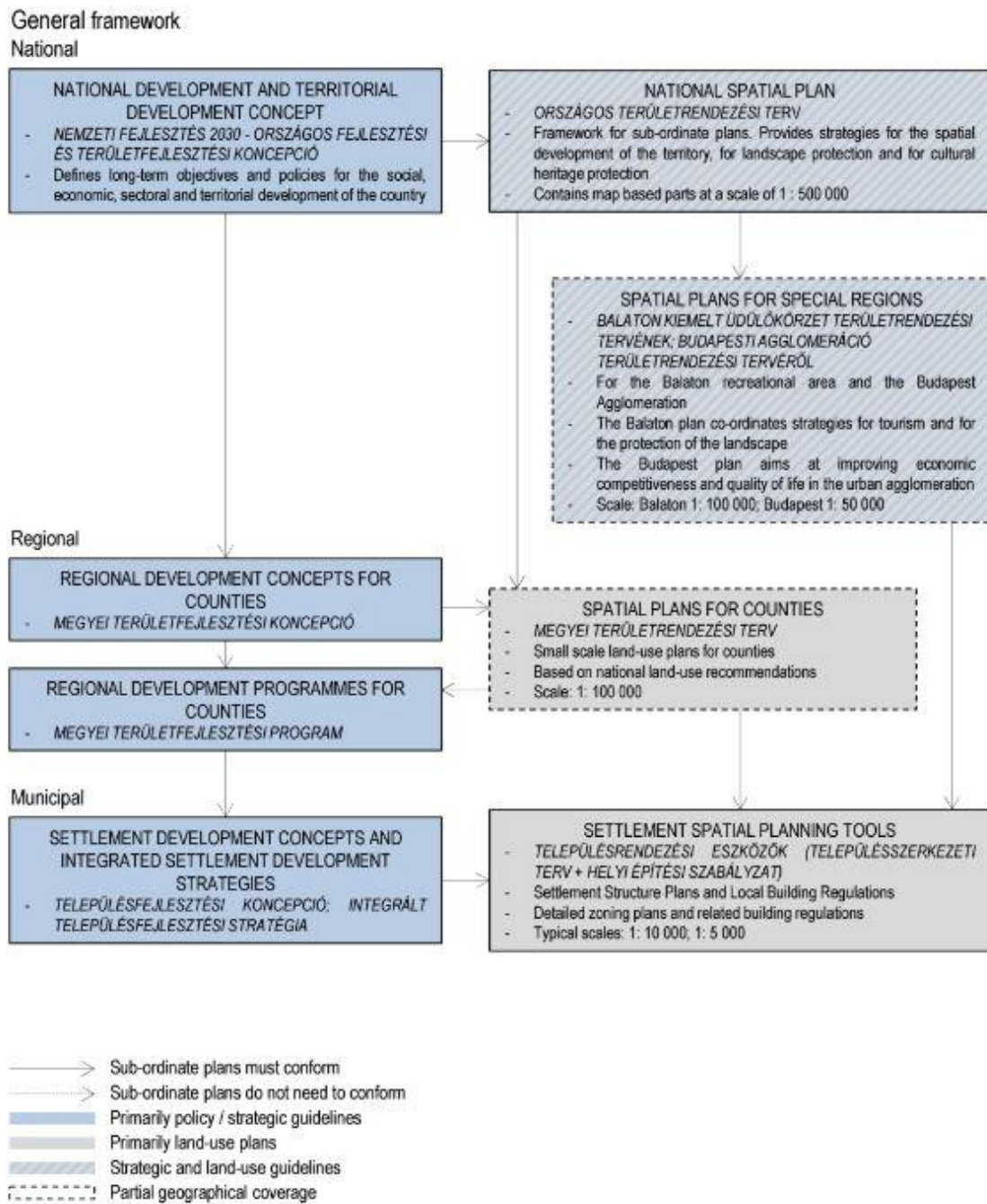


Figure 1: Spatial Planning and Regional Development in Hungary (source: OECD 2017, p. 119)

Below the *National Spatial Plan*, two *Spatial Plans for Special Regions* exist. They cover the capital of Budapest and its surrounding urban agglomeration and the touristic area around Lake Balaton, respectively. Both plans are comprehensive plans that aim at fostering the economic potential of the region, while supporting sustainable development and the protection of nature and the cultural heritage. Just as national plans, they combine general guidelines and strategic plans with land-use plans. Both plans are approved by vote of the parliament, binding for lower level plans and renewed every seven to ten years.

Also every seven years, each county prepares a *Spatial Plan for Counties*. It provides the link between the *National Spatial Plan* and local plan by detailing the regulations provided in the national plan. *Spatial Plans for Counties* are particularly relevant for development control, as they outline are as for future development and for nature and cultural heritage protection. Furthermore, they determine the permitted uses of those areas that have been left unspecified by the national plan.

At the local level, planning is complemented by local building regulations that provide more details on approved types of use and possible developments. As for most other plans in Hungary, geographical scale and focus in particular are on social and economic objectives.

Spatial plans at all three levels of government are accompanied by *Development Concepts*. In their respective geographical area they define long-term objectives for territorial development and guide the preparation of *Spatial* sectoral planning.

3. Major laws and regulations

Three laws form the mainframe work legislation that determines the Hungarian spatial planning system. *Act XXI 1996 on Regional Development and Spatial Planning* outlines the roles of the different levels of government and their bodies for spatial development. *Act XXVI 2003 on the National Spatial Plan* determines how the land-use planning system works and defines the main land-use categories that must be used in zoning plans at national and county level. *Act LXXVIII 1997 on the Development and Protection of the Built Environment* contains the main elements of national building regulation.

planning documents	time frame	acceptance	acceptance form
national policy goals	long term	president	presidential resolution
economic policy concept	long term	parliament	parliamentary resolution
convergence program (strategy)	middle term	government	government regulation
annual budget	short term	parliament	parliamentary resolution
national development concept	short term	parliament	parliamentary resolution
national development plan	middle term	parliament	parliamentary resolution
"New Hungary" development plan	middle term	parliament	law
national action plan	short term	government	government regulation
sustainable development strategy	long term	parliament	parliamentary resolution
national area-development concept	long term	parliament	parliamentary resolution
regional development concept	long term	regional development council	rdc resolution
regional development strategy	middle term	regional development council	rdc resolution
regional action plan	short term	regional development council	rdc resolution
sectoral development concept	long term	government	government regulation
sectoral development strategy	middle term	minister	minister regulation
sectoral action plan	short term	minister	minister regulation
horizontal development concept	long term	government	government regulation
horizontal development strategy	middle term	minister	minister regulation
horizontal action plan	short term	minister	minister regulation
national spatial plan	long term	parliament	law
areal spatial plan	long term	parliament	law
County spatial plan	long term	County council	regulation
local spatial plan	middle term	local council	local regulation

Figure 2: Overview on spatial planning levels and most relevant documents in Hungary (KTI Institute for Transport Sciences, Budapest 2020)

4. Co-ordination mechanisms

Vertical co-ordination between levels of government occurs through the *Chief Architects* in counties who serve as representatives of the national government. They provide assistance to municipalities in preparing their plans and ensure that they match national plans. They can also approve discrepancies between local and national plans. Co-ordination at the horizontal level occurs primarily through the dissemination of the spatial plans at an early stage of the planning process to a list of authorities that is defined by decree. These authorities may comment on the plans and influence their contents.

5. Expropriations

Expropriation is possible for public sector developments that are in the public interest if a sale of the property could not be negotiated and the proposed development is only possible at the particular location. Expropriation is generally not possible for private sector developments.

6. Recent and planned reforms to the system of land-use planning

The Hungarian spatial planning system in its current form was established in 1996 and 1997 with the enactment of the *Act XXI on Regional Development and Spatial Planning and the Act LXXVIII 1997 on the Development and Protection of the Built Environment*. Since then, several further acts were passed that define the planning system and the role of the involved authorities in more detail without changing the system in general. Since 2009, several decrees were passed to streamline the planning process.

However, there is certain criticism on the efficiency of the system of Spatial Planning in Hungary:

Strengths:

- Spatial planning: a stable system in Hungary
- Ensure the efficient appropriation of resources
- strictly procedural and in detailed content regulated planning mechanism
- With the elaboration of the possible development ways it supports the country's future vision, social and economical policy goals with all-round professionalism

Weaknesses:

- The comprehensive public law basis of planning has not been regulated
- The system of state strateging needs to be reconsidered
- The sectoral and the regional plans do not correlate
- The relationship between the sectoral and regional development activities is unclear
- In the absence of an integrated and legally fixed system of development plans, development resources are not used along strategic development plans

Evaluation of the relationship between inland water damages and the quality of the landscape arrangement planning of the settlements: This study is a part of this work. It covers - territory-wise - all

the settlements of Jász-Nagykun-Szolnok county and four settlements of the neighbouring Bács-Kiskun county, that is, it covers altogether 82 settlements. The most characteristic damage caused by the heavy rains is internal waters in the studied territory. The purpose of the study is to examine those planned elements connected to protection against internal waters, which are used in the landscape arrangement planning practice of the settlements, and to examine whether by improving the quality of the settlement landscape arrangement planning of the area, and within it of the settlement, it is possible to improve the efficiency of protection against inland waters. The study after defining the term of internal waters and reviewing the reason of their occurrence, briefly overviews their types and the methods of protection against them. The study analyses based on the data of the government offices that are competent concerning the territory - the situation, and based on the data of the agricultural and disaster protection directorates it analyses the damages caused in the buildings owned by the local governments, covering the period of 2014-2018. The study introduces the landscape arrangement general practice of the local governments concerning the subject, the characteristics and tasks of the specific plan types, the interrelationships of the plans, then it examines and evaluates item-by-item the regulatory and planning elements that are used in the means of local settlement landscape arrangement. Based on this the study tries to define the role of the local government plans in respect of the protection against internal waters and to define and judge the efficiency of planning, and then it presents recommendations for improving the efficiency of planning.

7. Summary

- The basic principle of protection against internal waters has been unchanged for 100-150 years: the water quantity that is temporarily needless have to be removed as soon as possible, and into a living water receiving unit, if possible. The infrastructure that evolved so far serves this purpose. The changing of the climate justifies the reviewing of the practice of the settlement concerning water management.
- The agricultural damages have a close correlation with the terrain and soil characteristics, while the damages caused in the buildings may be rather traced back to the deficiencies of the internal water draining system.
- The mandatory professional area related elements of the system of local government plans - the hazard and water damage prevention plans - are usually available. However, the type of special plan that represents the settlement level strategy and development, the preparation of which is not mandatory - e.g. which may be called a local water management plan - is typically missing at the studied settlements.
- The means of local settlement landscape arrangement cannot replace the missing special plans, their relationship to the existing special plans is very deficient, therefore, the lawfulness, professionalism that is the efficiency of the applied regulatory means is questionable.

Final conclusions of the study: *„Therefore, based on the available data, it cannot be concluded whether good quality settlement landscape arrangement planning does materially prevent the occurrence of inland water damages. However, it may be established that the deficiencies of the settlement landscape arrangement plans do probably contribute to the damages that are caused by internal waters.”*

8. References

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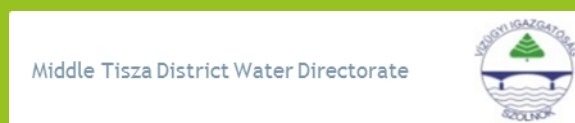
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Croatian Waters



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