Sweden - Planning Systems

Introduction

Sweden is a Kingdom situated in the middle of Scandinavia, the northern countries of Europe. It has a long elliptical shape, 1.600 km long from South to North with considerable climatic diversity. Its size is 450.000 sq. km and its population of 9.045 million, with about 20 % immigrants. With about 20 inhabitants per km2, the country is sparsely populated. This means that there is partly a lot of space. With a GDP (PPP) of $ 333.1 billion and a GDP per capita of 36,900 $, Sweden belongs to the richer nations. Like many other European countries Sweden has a problem with highly rationalised industrial growth and increased unemployment in certain sectors of the economy.

Planning Framework

1. Administrative structure
Sweden is divided into 21 counties and 290 municipalities. The population density of counties varies from 3 to 24,000 inhabitants/km2, that of municipalities from 0,26 (Arjeplog) to slightly more than 4000 inhabitants/km2 (Stockholm). The counties have an average area of 21,500 km2 and an average population of 430,000 inhabitants. Counties include between 1 to 51 municipalities. Their areas vary between 9 to 19,000 km2 and population between 2,600 to 770,000 inhabitants. The average size of a municipality is 1,557 km2 and the average population is 31,000 inhabitants. The population is thus unevenly distributed over the country and as a result the planning conditions vary a lot between the municipalities.

2. Administrative competences for planning
The planning system involves three administrative levels; the state, the county and the municipality. Located within these levels are also the administrative courts which check the legality of planning and its implementation.

Central Government
Six ministers and their departments are responsible for preparing and proposing government decisions regarding housing provision, national physical planning and building matters. They have no independent decision making power. The central supervisory body is the National Board of Housing, Building and Planning. It is responsible for monitoring developments in the field of physical planning, issuing building regulations and additional provisions in the Planning and Building Act which constitutes a general framework.

The County Administration Board
The Governor is appointed by the Government and the County Administration Board administers the county. The County Council (see below), the elected representative body at regional level elects the County Administration Board which is completely independent to take decisions within the framework of legislation and general directives. Its independent standing is similar to that of the courts. It can draw on planning experts in all areas of planning.
The County Council
The County Council is a regional body, directly elected every four years at the same time as central and municipality government. It has its own taxation powers. So far, its main tasks have been health and medical care, public communication and regional planning. In the most urbanised areas the Boards administrate regional planning to coordinate the municipal planning activities. The existence of County Councils is politically challenged by those who prefer a single local level of administration.

The Municipality
The Municipal Council, directly elected every four years is the supreme decision making body at municipal level. The Council appoints an Executive Board and a Building Committee with the same party composition as the Council itself. They prepare planning matters and take decisions on simpler cases. The Building Committee grants building and demolition permits etc.

Public control
Public control is also exercised through the media. According to the Swedish Constitution all documents kept by central and local government authorities which are not under revision or classified are open to the public. Everyone has the right to bring unsatisfactory conditions to the attention of the County Administration Board, the police or the Ombudsman for Justice.

3. Other characteristics

History of physical development
Industrialisation in Sweden came late and was dispersed among small municipalities. In the 1930s the greater part of the population was still living in rural areas. In the 1980s there were only around 20 towns with more than 50,000 inhabitants. Larger urbanised areas mainly around Stockholm, Göteborg and Malmö, designated as ‘Expanding Regions’ were providing better possibilities for planning and implementation than other municipalities with lower population growth or decline. By 2000, 87 percent of Sweden’s population was living in urban settlements.

Urbanisation was rapid during the 1950 assisted by new legislation. Inter alia, municipalities were required to assist actively with housing loans and subsidies and to take part in construction and administration. Other new rights enabled municipalities to exert stronger control over physical planning. They pursued an active land acquisition policy to obtain better control over implementation. Between 1964 and 1974, the goal to build one million dwellings was fulfilled, a great effort for a small country with economic and administrative consequences.

A comprehensive regional policy was introduced in the 1960s when rapidly diminishing employment in agriculture and forestry was the basic reason for regional imbalance. Rural population loss was one of the major reasons for “the local anchor policy” introduced 1965. By the 1970s regional population stability seemed to be achieved. However, unacceptable differences persisted between regions as regards population density, unemployment and degree of labour participation in production decisions.

4. Planning legislation
Main planning legislation
The 1947 Planning and Building Act (PBA), the Building Ordinance and a number of additional post-war regulations and recommendations concerning building and physical planning constituted the main planning legislation until 1987. It vested the sole responsibility of drawing up comprehensive plans and detailed plans for land use changes and building development in the municipalities. Plans had to be ratified by the County Administration Board to secure their compliance with the law. Local authorities were in a position to prevent landowners from developing land without any obligation to pay compensation.

New planning acts
Since July 1987 Sweden has three new main Acts concerning changes of land use and physical environment. They are the Natural Resources Act, the Environment Code and the Planning and Building Act. The goal of the first Act is to “encourage good long-term management of land and water in ecological, social and economic terms”. It contains regulations on how public interests are to be taken into account when central and local governments deal with cases where there are conflicting interests concerning “land and water use”.

Although in a sense subordinate to the first Act, the Planning and Building Act has a special standing since decisions taken under it are binding for decisions taken subsequently under other subordinate Acts. The goal of the Act is that “physical planning should encourage social development with equitable and enhancing living conditions for present and future generations”.

Environment Code
In 1999 Sweden introduced a new code for the environment – the Environment Code. This code brought together the former Act for Management of Natural Resources and all other special laws on the implementation of plans like power lines, telephone connections, roads etc. The Swedish Environment Code contains overall regulations on how the public interest is to be considered when central or local government authorities are dealing with conflicting interests concerning land and water use when applying other subordinate legislation.

Other relevant Acts with no formal link to the Environmental Code and the Planning and Building Act deal with community requirements and standards of public sector services, e.g. the Health and Medical Care Act, the Education Act, the Heritage Conservation Act and the Expropriation Act. In certain circumstances, the Planning and Building Act may steer decisions under other Acts of similar standing as the Environment Code.

Planning measures, regulations, incentives and sanctioning mechanisms
Swedish planning law puts the emphasis on the public interest whilst considering the freedom of the individual and good social conditions for residential, work, traffic and recreational environments. It covers change of use, extensions and important alterations to buildings; demolition of buildings, earth-moving, tree felling, planting and shell drilling. Excluded are alterations to buildings by Government and County Administration Boards; certain groups of buildings and constructions for agriculture and forestry and certain defence buildings and installations (consultations with the County Administrative Board are stipulated).

Land and buildings are not divided into classes. Certain changes of use do not need consent where a Detailed Plan does not exist or within a building containing only one or two dwellings.

Detailed development control mechanisms
A new system of inspection and control of building construction was introduced on 1st of July 1995. It had a great influence on the building trade and parts of the authorities. Two acts affect the builders and building contractors specially, namely the Planning and Building Act (PBA) and the Technical Requirements for Building Works etc. (BVL). The National Board of Housing, Building and Planning has a governmental sanction to produce technical rules and general recommendations based on the building acts. Requirements are formulated in functional terms to avoid detailed regulations.

The requirements for construction works are:

- Mechanical resistance and stability
- Safety in case of fire
- Hygiene, health and environment
- Safety in use
- Protection against noise
- Energy economy and heat retention
- Fitness for the intended use
- Access to and capability of use by persons with physical disablement or sensory impairment
- Economical management of water and refuse.

Due regard must be paid to the requirements set out in PBA. The first six requirements relate to the European Commission Construction Products Directive while the last three are national requirements.

The formal process starts with a Building Permit. A building permit from the local building committee is normally required for building a new house, an addition to an existing building or an essential change of use of a building. The local committee considers the application, the proposed building and its compatibility with the land use plan. The builder (normally the owner of the building) has full responsibility for carrying out the development control requirements. The builder has to send a notice to the local building committee prior to commencing construction work. It begins with a duty to send a building design. Three weeks after notification the builder is allowed to begin the construction. The builder has to present an Inspection Schedule according to which a consultative meeting (including a quality assurance supervisor, the builder, representative of the local building committee, the contractors, the projectors etc.) can discuss the work schedule and related obligations. The builder is in charge of the control procedure of his own organisation and/or that of contractors. If the local committee judges these controls insufficient it can impose an independent expert. The builder has to propose a quality assurance supervisor for the whole building process. This person shall assist the builder and be present at consultative meetings and inspections. When the builder has met his obligations satisfactorily the committee issues a Completion Certificate, otherwise it can impose supplementary measures.

**Planning process**

1. **Planning system**

**Plan making**
The Municipal Council produces and approves the Structure Plan and Detailed Plans. For each
plan a document is produced with the size of the population planned for, the description of the organisation making the arrangements, the name, scale and description of the plan or policy.

Every council must check the actuality of the Structure Plan at least once during its terms of office and make adjustments to central demands that may affect the plan. Documents kept by central and local government authorities are public. The openness of the process of drafting the plans and Special Area Regulations means that everyone has the opportunity to try to influence the decisions of the municipality, either through personal contact, interest organisations or the political parties. No one has the right to demand amendments to the Detailed Plan or Special Area Regulations once approved though to make a building project possible. Landowners have the right to build according to relevant plans and regulations, but cannot force changes except by political means through a decision of the Municipal Council.

Only in cases where national interests under the Environment Code are at risk, where there is a need of inter-municipal coordination, when health and safety are in jeopardy or the norms of the quality of the environment are not respected, may the County Administrative Board intervene by reviewing municipal decisions.

| Table 1: Summary of the organisation, administration and delivery of planning |
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| **Level** | **Competence** |
| Central Government | Preparation of legislation formulated in general terms; issuing and supplementing building regulations; monitoring of settlement planning; appointment of possible Regional Planning body. |
| County Administration Board | Consultations with, and monitoring of Municipal Council on matters of national interest and of coordination with other municipalities and agencies involved in Council structure plans, health and safety and regulations of the quality of the environment. |
In such cases the central government may order a municipality to draw up or cancel a Local Plan or Special Area Regulations and has the same rights as the County Administration Board to require prior consideration of municipal decisions. The Government can also intervene through proposing amendments or economic measures to the Parliament.

**Development control**

Consent for changes in land use, buildings, other facilities and installations is required for a number of measures in the form of building, demolition or land use permit. An application is sent to the Building Committee of the municipality which is responsible for implementing the plan. It must have regard for the environment, health and safety instructions and other decisions on land use before giving consent or refusal.

People directly affected by a Detailed Plan, Special Area Regulations or permit decisions must be given the personal opportunity to comment on the issue and have the right to appeal against the decision.

**Participation and appeal**

In Sweden, anyone concerned can object to the arrangements for changes in a plan, whether it is consent or refusal to carry out a specific change. When consent is refused because the change is not in agreement with a plan, there a right of appeal.

Everyone has the right to bring unsatisfactory conditions to the attention of the County Administrative Board, the Police or the Parliamentary Ombudsman.