

For the Quality of Limburg

draft PEL2014



Contents

0.	the Quality of Limburg	For 7
1.	ce and most important changes	Essen 9
2.	rg's ambitions and challenges	Limbu 15
	2.1 Limburg is in good shape	15
	2.2 Limburg, the Netherlands' most international province	15
	2.3 Ambition: Excellent residential and business environment	18
	2.4 Challenges for the PEL	19
3	Limburg's principles	22
	3.1 Quality is pivotal	22
	3.1.1 More city, more countryside	
	3.1.2 From separate to interwoven functions	
	3.1.3 Inspiration from quality awareness	
	3.1.4 A border that connects	
	3.1.5 Prudent use of our stocks	
	3.1.6 Distinction between seven types of area	
	3.2 Invitation is pivotal	27
	3.2.1 Invitation and inspiration	
	3.2.2 A selective Province	
	3.2.3 Dynamic stock management	
	3.2.4 Encouragement of pioneers	
	3.2.5 Quality-aware development	
	3.2.6 Customized instruments	
	3.2.7 Scope for experimentation	
4	Regional visions	36
	4.1 North Limburg	36
	4.1.1 North Limburg: Profile	
	4.1.2 North Limburg: Ambitions	
	4.1.3 The major challenges and tasks	
	4.2 Central Limburg	44
	4.2.1 Central Limburg: Profile	
	4.2.2 Central Limburg: Ambitions	
	4.2.3 The major challenges and tasks	
	4.3 South Limburg	53
	4.3.1 South Limburg: Profile	
	4.3.2 South Limburg: Ambition	
	4.3.3 The major challenges and tasks	

	4.3.3.1 Development of a sustainable framework	
	4.3.3.2 A fundamentally different task:	
	4.3.3.3 Living in South Limburg	
	4.3.3.4 National Landscape South Limburg	
	4.3.3.5 Agriculture & Horticulture in South Limburg	
5	Sustainable economic infrastructure	78
	5.1 Economic development	78
	5.2 Industrial and business parks	79
	5.2.1 The Limburg ambition	
	5.2.2 The task	
	5.2.3 Dynamic stock management	
	5.2.3.1 Campuses	
	5.2.3.2 Smart Services Hub	
	5.2.3.3 Reconsideration area: Graetheide industrial and business parks	
	5.2.4 Provincial interest, role and instruments	
	5.3 Offices	86
	5.3.1 The Limburg ambition	
	5.3.2 The task	
	5.3.3 Dynamic stock management: offices	
	5.3.4 Provincial interest, role and instruments	
	5.4 Infrastructure and accessibility	93
	5.4.1 The Limburg ambition	
	5.4.2 The task	
	5.4.3 General approach	
	5.4.4 Work on the Limburg road network	
	5.4.4.1 The regional connecting road network	
	5.4.4.2 The primary road network	
	5.4.5 New opportunities for the bicycle	
	5.4.6 Public transport	
	5.4.7 Logistics	
	5.4.7.1 Routes for goods transport	
	5.4.7.2 Logistics hubs	
	5.4.8 Air traffic	
	5.4.8.1 MAA Airport	
	5.4.8.2 Smaller airports	
	5.4.9 Provincial interest, role and instruments	
	5.5 Energy	102
	5.5.1 The Limburg ambition	
	5.5.2 The task	
	5.5.3 Approach to energy transition	
	5.5.4 Approach to wind energy	
	5.5.5 Provincial interest, role and instruments	
6	Appealing work and living environment	110

6.1 Living environment	110
6.2 Housing	113
6.2.1 The Limburg ambition	
6.2.2 The task	
6.2.3 Approach	
6.2.4 Provincial interest, role and instruments	
6.3 Retail	125
6.3.1 The Limburg ambition	
6.3.2 The task	
6.3.3 Dynamic stock management: retail	
6.3.4 Provincial interest, role and instruments	
6.4 Leisure economy	130
6.4.1 The Limburg ambition	
6.4.2 The task	
6.4.3 Overnight stays and facilities	
6.4.4 Quiet zones	
6.4.5 Regional motor sports centres	
6.4.6 Provincial interest, role and instruments	
7 Attractive rural environment	136
7.1 Intro	136
7.2 Nature	137
7.2.1 The Limburg ambition	
7.2.2 The task	
7.2.3 Preservation and restoration of biodiversity/vital nature	
7.2.4 Creation and maintenance of robust nature network	
7.2.4.1 Golden-green nature zone	
7.2.4.2 Silver-green nature zone	
7.2.4.3 Nature in the bronze-green landscape zone	
7.2.4.4 Embedding nature in society	
7.2.5 Provincial interest, role and instruments	
7.3 Meuse Valley	145
7.3.1 The Limburg ambition	
7.3.2 The task	
7.3.3 Approach	
7.3.4 Provincial interest, role, and instruments	
7.4 Regional waters	151
7.4.1 The Limburg ambition	
7.4.2 The task	
7.4.3 Approach to surplus water and water shortage	
7.4.4 Approach to preservation and restoration of wet nature and improvement of water quality	
7.4.5 Approach to effective management of the water cycle	
7.4.6 Provincial interest, role, and instruments	
7.5 Landscape and cultural history	160

7.5.1	The Limburg ambition	
7.5.2	The task	
7.5.3	Generic approach	
7.5.4	Approach to bronze-green nature zone	
7.5.5	Provincial interest, role, and instruments	
7.6	Agriculture and horticulture	168
7.6.1	The Limburg ambition	
7.6.2	The task	
7.6.3	Promoting innovation	
7.6.4	Towards regional agricultural visions	
7.6.5	Livestock	
	7.6.5.1 Space for the Meuse	
	7.6.5.2 Approach to clean sheds	
7.6.6	Space for plant growing	
7.6.7	A new perspective: Agglomeration agriculture	
7.6.8	Attractive rural environment	
7.6.9	Provincial interest, role, and instruments	
8	Subsoil	184
8.1	Coordination in the subsoil	184
8.2	Drinking water and groundwater management	187
8.2.1	The Limburg ambition	
8.2.2	The task	
8.2.3	Working on groundwater quality	
8.2.4	Provincial interest, role, and instruments	
8.3	Deep geothermal energy	190
8.3.1	The Limburg ambition	
8.3.2	The task	
8.3.3	Approach to heat and cold storage	
8.3.4	Approach to geothermal	
8.3.5	Provincial interest, role, and instruments	
8.4	Earthworks	196
8.4.1	The Limburg ambition	
8.4.2	The task	
8.4.3	Approach	
8.4.4	Provincial interest, role, and instruments	
8.5	Archaeology	198
8.5.1	The Limburg ambition	
8.5.2	The task	
8.5.3	Approach	
8.5.4	Provincial interest, role, and instruments	
8.6	Soil management	200
8.6.1	The Limburg ambition	
8.6.2	The task	
8.6.3	Approach	

8.6.4 Provincial interest, role, and instruments

9	Dynamic, flexible PEL system	200
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	ANNEXES	207
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1. Definitions
2. List of the most important changes
3. Notes to the draft PEL2014 maps
4. Draft PEL2014 maps
 1. *Limburg zoning*
 2. *Limburg regional*
 3. *Economy*
 4. *Infrastructure and accessibility*
 5. *Energy*
 6. *Living and quality of life*
 7. *Nature*
 8. *Meuse Valley*
 9. *Regional waters*
 10. *Landscape and cultural history*
 11. *Agriculture*
 12. *Subsoil*

3. The Limburg principles

3.1 Quality is pivotal

3.1.1 *More urban areas, more rural areas*

One of Limburg's strengths is the wide diversity in the nature and characteristics of its surroundings. We intend not only to cherish these qualities and their variation but also to enhance them, in line with our ambition 'more city, more countryside'. In other words, we emphatically opt for high-grade urban areas in a high-value landscape.

More urban areas are necessary, as urbanization is of increasing economic and social importance. Appealing cities are in the best position to retain and attract human talent, well-educated, creative, and entrepreneurial people who, as a group, give an impetus to the urban and regional economy. These cities have appealing centres with an attractive blend of knowledge, culture, and facilities that create ideal locations for face-to-face contacts. For our purposes, these cities are Venlo, Venray, Weert, Roermond, Sittard-Geleen, Heerlen, and Maastricht.

More rural areas are necessary, as the importance of Limburg's landscape as a factor in attracting and retaining businesses is generally recognized by both the inhabitants and the economic sectors.

We have adopted this principle with the understanding that the sharp demarcations between urban and rural areas are becoming steadily less distinct. The daily urban system is certainly not comprised solely of the urban areas, but also extends to the surrounding villages and landscape. This is further enhanced by the increases in scale and increasingly industrial nature of agricultural holdings. The National Landscape is an inseparable part of South Limburg's urban areas – a green central region with veins that penetrate into the cities and which is part of the expansive, cross-border Tri-Country Park.



3.1.2 From separate to interwoven functions

We intend to make more use of the opportunities to blend functions on either a temporary or permanent basis.

All too often, functions are kept strictly separate without good reason. Interweaving functions can actually enhance the vitality and appeal of areas and promote the multifunctional use of space (such as parking facilities).

Obviously, we need to prevent different functions from detracting from each other, for example through their environmental impact.

Examples of areas that offer opportunities for interwoven functions include:

- leisure use of nature
- combinations of industry, education and knowledge: the Limburg Knowledge Axis
- agglomeration of agricultural production
- interwoven fabric of housing, agriculture and tourism across the National Landscape South Limburg
- temporary use of vacant sites for purposes such as energy generation

3.1.3 Inspiration from quality awareness

Increasingly stringent requirements are imposed on the quality of our living space, in particular on the environment, public spaces, architecture, urban design, and requirements specific to nature and water.

We intend to make sustainable choices, so we do not simply transfer problems elsewhere or leave them for future generations to solve. Instead, our choices must strike a balance between people, the environment, and the economy. We intend to encourage a focus on intrinsically sustainable solutions right from the very beginning of the planning.

Many options that jointly determine the quality of Limburg are selected not only in the PEL but also – and above all – in the consideration processes leading to specific projects and expansion plans. Consequently, it is essential that these processes are of an appropriate quality. We are of the opinion that processes of this nature must, at an early stage and preferably before the final selection of the location, take full account of the following:

- spatial and environmental quality
- the required conditions for a sustainable and resilient water system (water as coordinating principle)
- the consequences for traffic (access, public transport and multimodal ambitions)

sustainability in the broadest sense of the word (People, Planet and Profit) These factors supplement the issues governed by statutory requirements, such as nature, water, and the environment.



The timely identification and involvement of the interested parties in the integral preparation and consideration of designs (rather than addressing issues sector by sector, and in hindsight) can maximize results and smooth the process.

We endeavour to achieve a level of quality compatible with the area. New initiatives will, on balance, need to result in an improvement of the quality of the surroundings. In an ideal situation, all the aspects that jointly determine the quality will need to either remain unchanged or be improved. However, the integral design concept does offer scope for the use of the leeway provided by a single standard provided that on the whole, the situation is improved and the design complies with the statutory basic quality (as a minimum, including provisions relating to special qualities). In adopting this approach we intend to provide scope for pioneers.

Appropriate social embedding can be achieved solely by initiating the dialogue with the surroundings at the very beginning of the planning.

3.1.4 A border that connects

Our location on the border offers us many opportunities. The opportunities in some areas are utilized to the full, for example in shopping and recreation in nature areas. However, all too often the borders still form barriers – administrative, language, and in particular cultural barriers. The challenge is to eliminate these barriers. One way to do this might be for each country to make the many potential short-distance jobs abroad more accessible (including physically). We allow for cross-border circumstances, opportunities, and effects in our considerations.

This process begins by placing our analyses in a cross-border context.

However, this certainly does not imply that we have succeeded in always or consistently adopting this approach to all issues. We need to devote a great deal of effort to the uniform and consistent adoption of this approach in the coming years.

3.1.5 Prudent use of our stocks

'Quality is pivotal' refers to our need to adopt a prudent approach to our stocks: our space (our cities and villages, nature, and landscape), our facilities (our urban environment, infrastructure, and transport systems), our natural resources, our environmental scope, and our below-ground resources.

We have interpreted this need in terms of a number of principles that serve as the basis for the decisions we will need to make:

- We concentrate on major urban developments and large-scale urban facilities in the cities. This is the implementation of our 'more cities' ambition. The vitality of our city centres is the primary consideration on retail commerce issues. However, this priority does *not* imply that there can be no further development in the rural areas; rather, it is an acknowledgement that developments with more of an urban allure do not belong in towns and villages.
- New urban developments must be assigned space within the urban environment. Where this would not be an option due to exceptional circumstances, then the development will need to be accompanied by something substantial in exchange for the loss of environmental quality (link to Limburg Quality Menu, 3.1.6). This principle, in combination with dynamic stock management, drives the implementation of our sustainable urbanization concept.
- We are of the opinion that business developments of urban proportions, for example the agglomeration of agricultural production with its industrial character, do not belong in the rural areas: These developments need to be given space on industrial and business parks.
- We make good use of existing facilities (the use of our existing stock, the optimum use of roads by means of traffic and transport management, the multiple use of space, etc.).
- Utilizing the opportunities the water system offers, in consideration of the possibilities of the system and adapting to them (climate adaptation).
- New urban functions that result in a lot of commuting traffic or large numbers of visitors need good connections to the public transport system.
- New developments need to make the best possible use of vacant cultural & historical and landmark buildings. It is necessary to review whether a vacant national listed building, municipal listed building, urban or village conservation area, or other vacant building – in that order – is suitable or can be made suitable for the accommodation of the relevant function.
- Principles for the prudent use of the underground environment.
- Efforts to achieve the maximum possible energy savings and maximum possible proportion of renewable energy sources. Better utilization of raw materials through greater efficiency and utilization of waste and residual flows to ultimately achieve closed cycles.

3.1.6 Distinction between seven types of area

(See appendix 1)

The wide variation in environmental qualities is one of Limburg's characteristics and one of its strengths. In this PEL, we recognize this variation by making a distinction between seven broadly defined area types. Each of these zones has an individual character and individual core qualities. Moreover, the tasks confronting each zone vary very widely. Each zone also offers specific opportunities for development.

We make a distinction between the following zones within the urban area:

- urban centre
- other existing area
- industrial/business park

The rural area is classified into the following zones:

- golden-green nature zone
- silver-green nature zone

- bronze-green landscape zone
- rural zone

Urban centre

The larger inner cities, characterized by a blend of functions that give these areas their vital urban character. These areas are of essential importance to Limburg's appeal and image.

Accents:

Development of a city-centre residential environment (see 4 and 6.2)

Centre providing supra-regional facilities and retail trade (see 4 and 6.3)

Multimodal accessibility (see 4 and 5.4)

Cultural history (see 7.5)

Other existing area

Combined living/working areas with facilities, partially urban in nature but with a degree of village character.

Accents:

Transformation of regional housing stock (see 6.2)

Accessibility (see 4 and 5.5)

Balance between facilities and retail (see 4 and 6.3)

Urban vegetation and water (see 7.2 and 7.3)

Quality of living environment (see 6.1)

Industrial/business park

Areas specifically designated for larger-scale business activity.

Accents:

Scope for business activity (see 4, 5.1, 5.2)

Optimum accessibility (see 5.4)

Sustainable layout and use (see 5.2 and 7.6)

Golden-green nature zone

Areas where nature and nature development have primacy due to the prevailing valuable flora and fauna that are often of national and international significance (such as the Natura 2000 areas).

Accents:

Expansion of the area available for nature (see 7.2)

Recreational shared use (see 7.2)

Reduction of environmental impact (see 7.2, 7.4, 7.6)

Silver-green nature zone

Agricultural areas offering major opportunities for the development of nature values.

Accents:

Development of land-based agriculture (see 7.6)

Management and development of flora and fauna (see 7.2)

Recreational shared use (see 7.2)

Bronze-green landscape zone

Brook valleys and areas with steeper slopes which serve a wide variety of functions and largely define the look-and-feel of Limburg's landscape. Also encompasses the Meuse's winter bed.

Accents:

Quality and function of the regional water system (see 7.3 and 7.4)

Development of agriculture in balance with the surroundings (see 7.6)

Enhancement of the core qualities of landscape and cultural history (see 7.5)

Recreational shared use (see 7.2)

Rural area

All other land in the rural regions, often of an agricultural character. Offers space for the further development of agricultural holdings.

Accents:

Opportunities for the development of new agricultural holdings (see also 7.6)

Reduction of environmental impact (see 6.1, 7.2, 7.6)

Quality and function of the underground environment (see also 8)

Status of maps

The PEL2014 includes a large number of maps. It is important to be aware that not all of these maps are created equal; each has its own significance and serves its own function.

The maps with the PEL should be seen primarily as a visual representation of our vision. Depending on our role, this would be an aspirational final situation (for example, the gold-green nature zone including new nature areas still to be developed), a map outlining the development potential, or a map describing the existing situation (a 'snapshot' of the situation at a given time). This last type is particularly relevant for aspects such as setting boundaries for an existing urban area, or in the themes such as living, industrial/business parks, offices, and retail. The PEL establishes a number of basic principles for these themes as a starting point for specification at the regional level. For these, the PEL is not the appropriate forum for establishing a vision of an endpoint at this stage. The maps in chapter 4 correspond to the three regional visions, and outline intended directions for development. Together with their accompanying text, they can be an important reference for the thematic regional implementations provided for in the PEL2014 for (among other themes) living, industrial/business parks, offices, and retail.

For the most part, the maps in the Environmental Decree 2014 correspond to the map images in the PEL2014. In some cases, the latter are more detailed versions, as in the case of the regional water-retaining structures.

The maps in the decree are detailed to a high level as dictated by regulations that are generally binding (e.g., for groundwater protection areas). In the case of instructions directed towards the water board (on issues of groundwater management) or municipalities (on issues such as protection of core qualities in the bronze-green landscapes zones), the maps are more global. There is some freedom for water board and municipality in the demarcation.

Explanation of zoning of map images

Within Limburg, the primary distinction we make is between urban area and rural area.

This distinction relates to our ambitions in connection with, on the one hand, vital and strong cities, liveability of urban cores, and

accessibility of facilities in general, and, on the other hand, the retention of a good agricultural structure, resilient water systems, and robust nature networks.

One of the Limburg principles is: more city, more countryside (3.1.1).

other existing area

Urban area (existing) refers to the current situation and spatial dimension of the cities and rural cores and industrial/business parks in Limburg. This area has been mapped out by ETIL based on a standard methodology using zoning plans, aerial photos, and other resources.

Residential parks, industrial and business parks, and shopping areas are the primary zones in them, with additionally the adjoining public facilities, socio-cultural facilities, construction sites, cemeteries, athletics areas and day recreation areas, rubbish tips, and infrastructure within the delineated area

(this is the Limburg interpretation of the term 'existing urban area' as used in the Bro).

Ribbon developments and smaller clusters of urbanization are not identified separately on the PEL map as urban area, but rather are included in the rural area.

The map is a snapshot (31-12-2013), and should therefore be considered, to some degree, to be illustrative.

The urban area (existing) is broken down into three zones: urban centre, industrial and business parks, and other urban area.

Where zoning plans have been adapted based on the old PEL policy and allow room for developments outside of the existing urban area, these can go forward. However, the new PEL offers room for development here, where compatible with the regional arrangements on residential construction.

Urban centre

In each of the seven cities Heerlen, Maastricht, Roermond, Sittard-Geleen, Venlo, Venray, and Weert, a section of the urban area is designated as urban centre. The dividing lines for spatial planning purposes are purely illustrative and rendered symbolically. From a policy perspective, a great deal of importance is attached to the quality and vitality of these urban city centres.

Industrial and business park

This is used to indicate the existing and immediately available industrial and business parks. This is a snapshot derived from the REBIS system on 31-12-2013. This representation is intended to be indicative. Isolated businesses are not indicated on the map.

other existing area

This zone comprises the remaining portion of the existing urban area (i.e., outside the industrial/business parks and urban centres). Some of this lies under the urban sphere of influence, while some of it is incorporated into larger and smaller towns, outside the cities or the urban sphere of influence.

In the regional visions and commitments on the individual themes, further subdivision of the 'other urban area; component may be appropriate for the purposes of a good positioning of the cores tailored for region and theme. This representation is intended to be indicative.

Rural area

This is the area outside of the cities, rural cores, and industrial/business parks; in other words, this is the opposite of the existing urban area. It is a rich tapestry of stream and river valleys, slopes, agricultural lands, greenhouses, forest and nature areas, mining operations, isolated homes and business premises, ribbons and clusters of buildings, overnight stay recreational areas, and the like, tied together with various forms of infrastructure.

The rural area is broadly and indicatively divided into four zones: Golden-green nature zones, silver-green nature zones, bronze-green landscape zones, and the outer fringe.

Golden-green nature zone

This refers to Limburg's portion of the national nature network, and comprises the most significant forest and nature areas, including the Natura 2000 areas, with both the area expansions to the nature areas already achieved and those not yet implemented. The external boundaries of the golden-green nature zone are indicated fairly precisely, but its area also includes other functions at the zoning plan level. (For a more detailed explanation, see 7.2 and the explanatory memorandum to the Environmental Decree.)

Silver-green nature zone

This zone comprises primarily agricultural areas that are important due to the elements of ecological value present within them: Here, the focus is on agricultural nature management and how to open more possibilities for this. The silver-green nature zone also comprises several areas with mining operations that, after completion, can subsequently be developed as nature areas (either fully or partially), but also Meuse lakes and portions thereof with an ecological function and areas being developed as green areas by other parties (in some cases with co-financing by the provincial government). The zoning given on the map is indicative. The specific character of this area does not call for a particularly detailed indication of the boundaries by municipalities.

Bronze-green landscape zone

This zone is essentially built around the stream and river valleys and steeper slopes (where not already assigned to the golden-green or silver-green nature zones) and the relative richness of cultural-historic and rural value elements. For the most part, this is agricultural land, but it may also include other functions such as long-term recreational areas, homes and ribbon developments. The maps provide an indicative zoning, which can be further detailed by the municipalities. (For a more detailed explanation, see 7.5 and the Environmental Decree.)

Outer fringe

This zone comprises a wide range of areas, varying from agricultural areas in the general sense to greenhouse-growing areas, development areas for intensive livestock farming, long-term recreational areas, urban peripheries, ribbon development and building clusters, etc.

The significance and definition of the urban area (existing)

The boundary between the existing urban area and the outer fringe is an important boundary, an inseparable component of the ladder of sustainable urbanization, one of the Limburg Principles.

Due to the importance we attach to optimal use of the urban area, in the PEL we include an indicative map of this, broken down by urban centre, industrial and business parks, and other urban area (map 1). This is a representation of the actual situation: Planned and intended expansions in outlying locations are not part of this (these are usually classified under the rural area). This is most emphatically not intended as a vision map, which is created by and with the three regions in the processes of regional vision-making, and resulting in administrative agreements.

The precise delineation of the urban area is done at the municipal level. The regional visions and arrangements (see also 3.2.3 and chapter 9) offer an important framework for clarifying the zoning and the principles behind it. The regional visions are translated into municipal structural concepts and zoning plans. Of course, municipalities may opt to use the boundaries identified in the past, such as red contours.

Changes, map1:

Add existing urban area to key block

Add existing urban area to key block

3.2. Invitation is pivotal

3.2.1 Invitation and inspiration

Making plans is good, but creating environmental quality is even better! Our PEL is primarily intended to inspire and invite partners to tackle issues, where relevant in cooperation, and in so doing both contribute to an improved residential and business environment and give form to the development of a specific location or a specific area. Limburg belongs to us all.

For this reason, the PEL2014 is not a plan which is based on the conception that the authorities 'make' environmental quality by imposing regulations and restrictions. The PEL is based on the philosophy that the quality of the environment is created by the day-to-day decisions of the public, business community, institutions, and the authorities.

The PEL2014 is an environmental plan that presents the vision of the partners and regional partners and formulates the ambitions and tasks for the entire Province of Limburg, as well as the specific ambitions and tasks for North Limburg, Central Limburg, and South Limburg.

The PEL2014 also defines a framework for Limburg that is designed to meet the basic needs, such as housing, the regional economy, work and innovation, transport, energy, food production, water supplies, protection from high water levels, biodiversity, the landscape, and tranquillity.

The PEL2014 includes basic principles that give direction to the developments. These relate both to principles applicable to the quality of the environment and physical environment and to principles applicable to the quality of the process and decision-making.

The PEL2014 includes an agenda developed in cooperation with the partners for the joint approach to the regional issues and for the joint action process.

This joint approach also extends to the deployment of instruments.

As a result, the PEL2014 is a next step in the development of spatial planning and the environmental planning: from regulatory planning via development planning to invitational planning. An invitational environmental policy has consequences for our working methods. This is compatible with the changing concept of the government's role, a new communicative role that is designed to empower society and invite society to take the initiative and create quality. In this new role the government supports the public, social institutions and the business community. This new approach is no longer based on regulations but rather on ambitions and area objectives: 'Don't inspect, inspire.'

The Province can play this role in various ways, whereby it has opted for the participation ladder. Pursuant to this concept, the Province retains firm control of the framework and adopts its precise role on the basis of the developments in a specific situation. Consequently, the approach not only entails invitation, but also extends to the creation of the necessary preconditions. We do so by encouraging and assisting, for example by suggesting ideas for suitable locations for developments (potential areas for wind energy or motor sports centres) or by encouraging pioneers – initiative-takers who are prepared to stick their neck out not only in seeking profit but also in contributing to the environmental quality and, in so doing, go further than the generally adopted approach. [see 3.2.4](#)

The Province also provides assistance by making links and sharing knowledge, for example by bringing parties in production chains into contact, offering platforms for innovation (matching supply and demand), or linking parties in regional agreements on issues such as housing, business locations, and the retail trade.



3.2.2 A selective Province

The PEL2014 addresses solely the issues that really need to be addressed at Provincial level and require regional solutions. This is compatible with our basic philosophy and with the national government's approach that is restricted to thirteen national spatial interests. Whenever possible, the responsibility is assigned to the municipalities and to other parties who have the regional knowledge that enables them to deliver excellent customized solutions.

Explanatory notes to A selective Province

The Agenda for the PEL2014 is the result of an initial selection of the issues the Province needs to address in the PEL. This selection was made after a broad participatory process: It is not a selection imposed from above. The selection will be refined further during the current process.

This PEL clarifies the Provincial interests for each of the themes.

This does not imply that issues that are not addressed in the PEL are of no importance, but merely indicates that the Province does not perceive a role for itself on these other issues.

3.2.3 Dynamic stock management

We have enough stock of many items in Limburg – and, to an increasing extent, too much: for example business locations (industrial and business parks, offices, and agricultural production locations), shops, and leisure parks. Additionally, there is a growing mismatch between quality of supply and demand. The need is not for more of the same, but rather for a different quality.

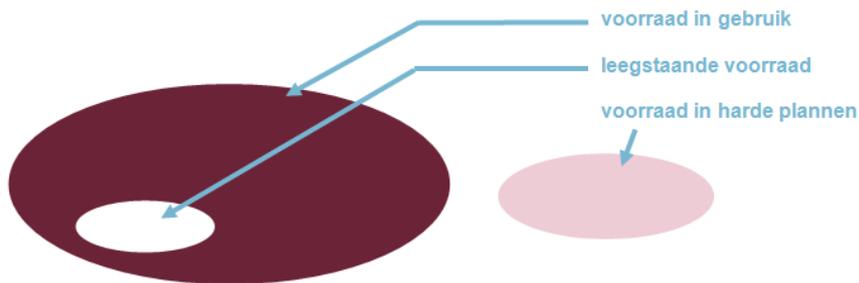
In those areas in which the demand for quantitative growth has disappeared, doing nothing is not an option. Ongoing modernization and innovation must not be put at risk. Dynamism is necessary to make the switch to the required quality. Creating scarcity gives the market incentives to supply the required quality, together with providing scope for specially tailored responses to developments in the market (such as the trend towards the increasing combination of functions) and rewarding both innovative entrepreneurship and corporate social responsibility.

The key lies in dynamic stock management. The municipalities and the Province then reach agreements at a regional level on their shared ambitions and tasks, shared principles and methods, and for some issues, shared programmes and even the shared management of the stock. This will involve the most important market parties and stakeholders.

The approach and the basic principles for each theme are worked out in more detail later in the PEL (see 5-8 and, more generally, chapter 9).

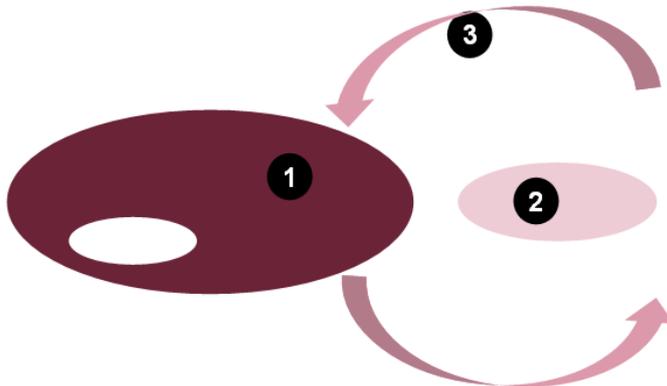
Explanatory notes to Dynamic stock management

Dynamic stock management is a government-level intervention designed in response to the current failure of market forces and which provides incentives to the market to deliver quality. We have adopted this approach for homes, industrial and business parks, offices, stores, holiday house parks, campsites, and the agricultural and horticultural sector. In essence, the municipalities reach regional, non-discretionary agreements on the necessary interventions. These relate to the ambitions and tasks, the shared principles, and a shared procedure. These will be supplemented with shared planning for some issues (housing and industrial and business parks).



The precise approach can vary by issue and region. Dynamic stock management pivots on three types of intervention.

1. Addressing the quality of the existing stock (for example, renovation, restructuring, energy measures, and sustainability). This also includes tackling the existing vacancy levels.
2. Where feasible, scrapping hard plans (changing the colour/function) that do not yield the required increase in quality. This can then also relate to the temporary assignment of another function.
3. Subject to conditions (for example, solely in the event of an actual enhancement of quality), offering scope for the addition of good new stock, provided that this is combined with the removal of existing stock.



The central focus is the regional development of visions (for North, Central, and South Limburg) with the involvement of civil society and/or market parties. These visions need to be sturdy and non-discretionary and, at the same time, need to take account of reality and the necessary flexibility (amendment, in consultation, to accommodate new developments). Close attention needs to be paid to the relationships with the umbrella regional visions (such as the PEL regional visions) and the visions for other issues.

The instruments to be deployed are not set in stone: They can be adjusted or rendered more stringent as required. The regional visions and programmes are laid down in administrative agreements between the municipalities by means of the inclusion of a provision of a precautionary nature in the Environmental Ordinance. In essence, this regulation prescribes that zoning plans may not conflict with regional agreements.

A letter of agreement will be signed at the beginning of the programme to specify the approach (when the vision is to be ready, who will take the lead, who is involved, and the procedure for dealing with major interim developments). This agreement also specifies that a number of basic principles laid down in the PEL shall be implemented/adopted as the basis of the regional visions. The exception is Housing in South Limburg, due to the urgency in this region: An ordinance provides for the control of the housing market during the transitional phase in which the vision and agreements (at the South Limburg level) have yet to be adopted and contracted. The approach also includes facilitating and inspiring instruments (such as monitoring and sharing knowledge of instruments) and, possibly, financial instruments (such as a transition fund). Obviously, the ultimate objective is to fulfil the ambitions and complete the tasks laid down in the visions in accordance with the agreed approach and procedures. Throughout, it remains important to keep sight of the goal.

3.2.4 Encouragement of pioneers

Inspiring examples create a snowball effect for change and inspiration. This is also the reason why pioneering entrepreneurs are of such great importance to Limburg's quality. These entrepreneurs are in the midst of society: they take initiative to pursue sustainable entrepreneurship and seek new ways of developing their businesses with respect for and in contact with their environment. This needs to be manifested in the form of business concepts in which entrepreneurs implement additional measures to reduce the effects of their operations on the environment: less hindrance, a lower soil and surface water/groundwater impact, reduced water and energy consumption, etc.

The Province intends to offer pioneers of this nature scope to pursue their goals. These pioneers should not restrict their efforts solely to sustainability as an environmental and spatial element of their operations: They will also need to aim for an integral improvement in the quality of their environment. They will devote specific attention to sustainable, excellent entrepreneurship in their environment, when they bear the responsibility for gaining social acceptance and support by entering into a dialogue with their environment.

The Province has adopted the principle that pioneers are prepared to share their knowledge and experience and, in so doing, can serve as a real source of inspiration for others. The Province intends to further this with knowledge and providing incentives for example projects. The integral use of the financial resources available to promote fundamental improvements will be required whenever feasible.

The relevant legislation and regulations may obstruct the achievement of integral sustainability. The Province will then promote the creation of scope for experimentation focused, on the basis of integral considerations, on new revenue models, the improvement of the quality of the environment and the provision of social added value. Where feasible and necessary, the Province will invoke the Crisis and Recovery Act.

3.2.5 Quality-aware development

Quality-aware development is about the deployment of creativity in the achievement of improvements in quality from the very first idea for an initiative (the 'front end'), and on the adoption of an inviting and design-oriented approach. When areas and themes with a Provincial interest are involved, we intend to adopt a creative network approach that, on the basis of a broad scope of quality, results in cooperation at an early stage of the initiative between the initiator, municipality, consultants, and the Province and the organization of supplementary knowledge on environmental quality (customization provided by a knowledge network on issues including cultural history, landscape architecture, town planning, and agriculture and horticulture).

The intention is for the initiator to also invite potential stakeholders to cooperate in efforts to create quality. This approach will not only need to bring knowledge of various natures together: It will also need to facilitate the process to avoid it becoming bogged down in confusion and irritation and ensure that the result is the joint development of quality.

This approach needs to provide for good preparatory processes for specific projects or plans for expansion that in turn lead to results such as the appropriate social embedding of the development, choice of location, spatial quality, and sustainability, based on the following principles:

- on balance, no deterioration in the quality of the environment (no use of the leeway offered by a standard).
- taking special qualities of the area into account/quality of the area as baseline.

The Province intends to promote and support this working method. The Province intends to participate actively in developments in the regions of Provincial relevance (the golden-green and silver-green nature zones, the bronze-green landscape zones, the South Limburg National Landscape, and the Meuse Valley) which address themes in which the Province has an interest, such as the development of building-based agriculture and horticulture and landmark listed buildings. This can, for example, be of the form of a network approach based on the deployment of 'quality studios'.

3.2.6 Customized instruments

Every issue requires the use of instruments tailored to that issue. These are usually a blend of administrative-communicative, financial, and legal instruments, whereby the precise nature of the instruments is largely determined by the Province's role. The selection of the instruments is not set in stone during the term of the PEL: We will deploy other instruments in the interim period when there is cause to do so. This may also be necessary if at any point the statutory framework changes (for example, when the new Environment and Planning Act enters into force, which is expected in 2018).

The Province intends to continue to make efforts to provide for appropriate cooperation with the municipalities. Administrative agreements will then constitute an essential instrument. These agreements are based on shared regional visions. We are engaging a precautionary ordinance to provide assurances for the successful fulfilment of agreements.

The Province primarily deploys its permit-granting and enforcement instruments for environmental issues. The Province will also deploy its Provincial Integration Plan (PIP) instrument when Provincial interests give cause to do so, for example in the event of earthworks.

The Limburg Quality Menu (LQM) has been transferred to the municipalities. The Province assumes that the municipalities will develop their own versions of this quality policy (including local enforcement). 'The Province facilitates the municipalities in this. A good LQM is, after all, also in the interest of the Province. The Province, in consultation with the municipalities, will ensure that:

- Further arrangements will be made on the use of the LQM (as component of a broader approach towards promoting spatial quality) in the regional implementations of each theme.
- Minimum threshold amounts for the amount of the consideration will be stipulated.
- Stacking with other compensation schemes or schemes of a similar nature will be avoided to the extent possible.
- The use of the LQM instrument will be monitored.'

3.2.7 Scope for experimentation

Many of the issues confronting us require creative solutions: Generic control principles and traditional revenue models are often no longer effective, government financing is being reduced and the market falls far short of tackling all issues. It would now appear to be the turn of new market players to take a hand in area developments. For this reason the Province intends to encourage new forms of integral developments and area developments, new alliances and forms of cooperation, new instruments, and new revenue models.

We do not know as yet precisely how we will approach this. Many studies and experiments have been carried out in the past years, often by a specific sector. More synergy and coherence is feasible. Scope for experimentation will then continue to be necessary. Local customization on the basis of area quality offers added value, and new processes are required in which the players cooperate in developing local quality. We are giving consideration to 'quality studios' as a means of enhancing the adoption of an integral and design-oriented approach to themes and projects that are of Provincial interest.

The Province intends to take up a linking role to promote synergy between various experiments and shared learning. The Province will do so by means including the initiation of a shared learning programme with municipalities and consultants.

Explanatory notes to roles and instruments

The role to be played by the Province for issues in which we perceive a role for us to play can assume the following forms as based on the Public Administration Council's participation ladder.



This is based on the concept that the vitality of society is given more room to grow when the government stays as low on the ladder as possible. The authorities' role is shifting from 'planning' to 'following' and 'doing nothing when nothing needs to be done'.

The bottom rung (letting go) is compatible with our decision to act as a selective Province. We intend to become involved in a limited number of themes. These themes have been determined by the Agenda for the PEL2014 as adopted by the Provincial Council. Moreover, even within these themes we always review where and how the Province can offer added value.

When we carry out these reviews our motto is 'do something all the way or not at all' as this approach is adopted by the national government.

The various roles are associated with the following interventions (which serve as illustrations and are not exhaustive):

do it yourself: investments, construction and management of buildings, area development, participations

regulate: prescription, zoning, permits and enforcement (unilateral)

direct: process management, programme management, cooperation, agreements (initiative)

encourage: provision of information, issue of grants, lobbying, invitation

promote: monitoring, manuals, valuation grants, front desk functions

The Province can deploy instruments from three sets of instruments at its disposal for the implementation of the environmental policy:

- *Administrative-communicative instruments: consultations and negotiations with and lobbying the national government and national international partners. Consultations and agreements with municipalities, water boards, the business community and interest groups. Education and public relations.*
- *Financial instruments: ranging from risk-bearing participations in area developments and buildings, the division and allocation of appropriated grants issued by the national government and purchases of land to the issue of grants.*
- *Legal instruments: the Spatial Planning Act offers proactive and reactive instruments including the provincial integration plan, environmental ordinance (with provisions for direct control, instructions for municipalities and precautionary provisions), and reactive designations. Permits and enforcement: whereby the Province issues permits and enforces permits pursuant to the various relevant acts. Contracts, concessions, tenders.*

A selection of these instruments is explained in more detail below. These are: administrative agreements, environmental ordinance, permit granting, and the provincial integration plan.

Administrative agreements

Administrative agreements relate to joint agreements reached by two or more government parties which are concluded to achieve specific policy objectives. Agreements can then be reached on the use or deployment of normative instruments or other instruments, such as the environmental ordinance, project decisions, and environmental permit instruments.

Administrative agreements are often employed in environmental legislation, when they are referred to in terms including covenants, partner contracts, agreements, and contracts. One characteristic of administrative agreements is that they cannot be enforced at law. This will not be the intention of the most agreements, when the political/administrative pressure imposed by the agreement will be sufficient. However, in some instances the parties will wish to conclude binding agreements. This can then be achieved with an instrument that is legally binding, such as the precautionary ordinance.

One objection to administrative agreements is their potential impact on third parties who are unable to exert an influence on their contents. Also, such agreements cannot be reviewed by the judiciary. Their non-public nature often also results in criticism, as third parties are not even aware that an agreement has been concluded that may have consequences for them. This latter objection can be resolved by actively disclosing the agreement to enable everyone to learn of its contents.

Environmental Ordinance

The Province of Limburg introduced an Environmental Ordinance at the beginning of 2011. Prior to this date separate ordinances governed elements of the physical domain: the Provincial Environmental Ordinance, Roads Ordinance, Water Ordinance, and Earth Removal Ordinance. In 2008, the Province was assigned the competence to adopt a spatial planning ordinance with instructions to be observed by municipalities when drawing up zoning plans, etc. This was associated with the rescission of the provinces' approval competence. Limburg has made only very limited use of this competence, namely for the Housing in South Limburg Ordinance. At the same time as the adoption of the PEL2014, the Environmental Ordinance is being updated and expanded to include a spatial planning section.

Limburg's Environmental Ordinance lays down regulations governing the following issues:

- *The designation of environmental protection areas. These regulations govern everyone and can relate to an absolute prohibition on*

specific acts or a prohibition for which an application can be submitted for an exemption.

- Regional waters, such as safety standards governing water-retaining structures, standards governing flooding, and regulations governing the water management pursued by water boards. These regulations are addressed primarily to the water boards.
- Spatial planning. Instructions for municipalities relating to the content of zoning plans or the explanatory notes to those plans.
- Livestock farms and Natura2000.
- A regulation supplementing the Earth Removal Act and which lays down which acts are covered by an exemption from specific prohibitions laid down in the Earth Removal Act.
- The use of roads managed by the Province, such as a prohibition on banners and signs that obstruct the necessary view of the road.
- Municipal sewerage exemption, the use of closed landfill sites, the designation of industrial and business parks as being of regional significance and a compensation regulation.

What is referred to as the 'precautionary ordinance' is a specific form of the provisions in the spatial planning section. This ordinance lays down a prohibition on the preparation of zoning plans that are in conflict with the agreements or regional agreements, for example: 'The new housing locations to be included in a zoning plan...shall be compatible with the prevailing...housing programme of the relevant region...'

This form of regulation is particularly suitable for imparting a binding nature on agreements laid down in an administrative agreement.

Provincial Integration Plan (PIP)

This instrument was also incorporated in the Spatial Planning Act in 2008, and offers the Province (and the national government) the option to draw up its own zoning plan. To make the distinction from the municipal plan (gemeentelijke plan), the act opts for the term inpassingsplan ('government-imposed zoning plan amendment'). Any use of the power granted by the PIP always takes place in consultation with the municipalities involved, although the agreement of the municipalities involved is not required.

This instrument is ideal when the Province wishes to complete a development or ensure that it is completed. When a zoning plan is required for the development in question then the municipality now no longer always needs to prepare the plan: The Province can assume this responsibility. The PIP is particularly valuable when developments cross the territory of a number of municipalities and when the Province initiates the development, for example the construction or reconstruction of roads.

Permit granting

The Province primarily deploys the permit granting and enforcement instruments for environmental issues. This relates to the statutory tasks pursuant to the relevant legislation, in particular the Environmental Management Act, Noise Abatement Act, Environmental Licensing (General Provisions) Act, and the Soil Protection Act. The Province is the competent authority for the issue of permits and the enforcement of permits issued to generally larger companies with a greater environmental impact.

Towards a new Environment and Planning Act

An important legislative reform planned for the coming years will have major consequences for the design and implementation of the environmental policy. This reform is comprised of the gradual enactment of the new Environment and Planning Act that will in any case replace the current Spatial Planning Act, Environmental Management Act, Environmental Licensing (General Provisions) Act, Water Act, and a variety of environmental acts. The new Act will also replace parts of many acts, such as the Monuments and Historic Buildings Act, the nature legislation, the Housing Act, and the mobility legislation.

The key amendments introduced with the Environment and Planning Act relate to the streamlining of environmental legislation, more effective studies, and more flexibility in the scope for consideration. The aforementioned streamlining will, in particular, result in the replacement of the current dozens of forms of decisions, definitions and procedures by one a single system with six legal concepts, namely the environmental vision, environmental programme, environmental ordinance, environmental plan (new, replaces the zoning plan), environmental permit, and project decision.

The new Act is scheduled to enter into force in 2018.

PEL2014 will be adopted before the Environment and Planning Act enters into force, so, strictly speaking, it does not need to take that act

into account. However, as PEL2014 addresses the future, a future in which the Environment and Planning Act will replace the entire current environmental legislation system, it is only logical to anticipate the new legislative situation.

Enhancement of the design-oriented approach

More use will be made of a design-oriented approach when activities are planned in areas and themes of a Provincial interest. This design-oriented approach will be adopted via development teams from a front desk function and will review both the value and necessity of various alternative locations and draw up designs on this basis. The ultimate objective is to arrive at an appropriate insight into the desirability and localization of the activities. This is based on the principle that cooperating in the design and considerations up front will avoid having to fix things after the fact. Consequently, this entails jointly giving consideration to the location (and alternatives) and the design.

Spatial interventions are tailored to the environment. Four levels are distinguished within the design-oriented approach:

- The determination of the value and necessity (why should the new development be located in the area of a Provincial interest?).
- The selection of location level: Where will the development be most compatible with the landscape, and in what way?
- The terrain level: the positioning, design and layout of the various forms of use in the terrain and relative to each other.
- The facility level: the design of an object or form of use.

The intensity and scope of the design-oriented approach will be dependent on the nature of the intervention and its surroundings.

It will often be possible to link up with existing structures at the municipal level. Municipal front desk facilities will enable initiators to consult at a very early stage. Help can then be offered with the alignment of the process with a view to a successful programme and social quality. The counter also determines when it is appropriate to deploy a development team (from the creative network).

The creative network is deployed on a selective basis, when a tailor-made team is brought together on the basis of the environment, the authorities involved, and the relevant objective expertise in the market and academia (the knowledge network). A logical harmonization of the work of the current municipal or regional quality committees avoids the duplicate provision of advice.

Integral area development

Innovation in area development is required to accommodate the changed financial and demographic conditions. This entails the use of new working methods with revenue models in which property development is linked to use and ownership, as well as the flows that are necessary for that use. This can be achieved both by involving the parties that manage these flows (utility services in the broadest sense of the term, such as energy, waste, data, water, and mobility) and the users in the development process. This requires a shift on the attitude and behaviour of the authorities involved and their current partners. In the first instance, this is necessary to create scope for new parties and to become open to a new working method. Moreover, this is something more compatible with the role of investor than that of developer: An investor is interested in the long-term return from the operation of the area and focuses on the development in the value of the current property portfolio.

For this reason important parties in the new forms of area development include not only the municipalities and local working groups of concerned residents, but also parties such as housing corporations and managers of the utility services.

