

The “Home Plan” Proposed by the Italian Government: A New Opportunity for Real Estate Owners

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Key words: Land readjustment, Real estate development, Home plan, Housing, Town planning

SUMMARY

Recently the Italian Government issued new rules for private residential construction: the so-called ‘HOME PLAN’.

This project is aimed at favouring and stimulating the construction industry (a driving sector for the entire Italian economy) and at helping to meet the social need for housing, to encourage the settling and the formation of new families, to improve the quality of housing, even exceeding the town planning limits set by the laws in force, which have often proved to be too restrictive for these purposes.

The Home Plan is a true integration of the existing legislation, whereby the state lays down the general principles while the regions and the municipalities implement these through dedicated legislation adopted at regional and municipal level. This makes it possible to exploit all the new building possibilities in full respect of the different environments, landscapes and territory protection and conservation needs, and to adapt them to the specific characteristics of every corner of the country.

The ‘Home Plan’ applies to two basic sectors:

Modifications to existing buildings, with the possibility to build extensions, even contrary to town planning indices in force (while fully respecting the regulations and the legislation in force, such as the distance between buildings and from property boundaries, etc.). Following a simplified authorization procedure it is possible also to demolish and reconstruct existing buildings and even to obtain permission to add on cubic meters if bio-construction and energy saving technology is used. Further opportunities are offered for specific uses (e.g.: conversion from residential to accommodation/hotels) or for buildings constructed with modern earthquake-proof technologies, for example in the province of l’Aquila recently struck by an earthquake

b) **Social housing**: In order to meet the dire needs for increased availability of housing in large cities, we see the promotion of Plans to develop entire urban areas, with easier procedures (bureaucratic/administrative streamlining) and the possibility for builders to increase the volumes built, so long as the development Plan includes a proportion of social housing. Extensions will be allowed even in the so-called “A” areas, that is to say in parts of cities where the older settlements are located, except for areas with great historic or cultural value, of course.

Therefore, the Home Plan will have a considerable impact on the entire country, both from the strictly economic point of view but also from the point of view of land use management.

The main elements of the plan will affect feasibility studies, proposed solutions and projects, accurate checks on locations and the different town planning situations, surveying and graphic representations.

There will be expectations and opportunities, with the added volume of housing, great advantages for existing buildings (the possibility of introducing social mortgages is being envisaged) and obviously this will directly enhance and highlight the work of the technical professionals in this field.

The professional role of the Surveyor will be extremely important, as it will certainly be Surveyors who will serve the private individuals or bodies interested in the Housing Plan, and help owners and companies examine the opportunities and the feasibility of construction projects of limited dimensions and direct the work and the actual construction.

Furthermore, Surveyors are still the technical professionals who are able to ensure a perfect match between what has been built, what has been authorized and what has been entered into the Land register, thanks to their professional knowledge of municipal and land register legislation.

Therefore, with the Home Plan that to a large extent entails interventions on existing buildings with extensions and modifications of limited dimensions, Italian Surveyors are called upon to exercise their professional role as irreplaceable technical experts in the context of technical relations between individual housing owners and the Public Administration, during the study, the planning, the registering and the land conservation stages, thus contributing to an appropriate land management that is convenient for everyone.

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Recently the Italian Government issued new rules for private residential construction: the so-called ‘Home Plan’.

The Plan is aimed at favouring and stimulating the construction industry (a driving sector for the entire Italian economy) and at concretely meeting the social need for housing, to encourage the settling and the formation of new families, to improve the quality of housing, even exceeding the town planning limits set by the laws in force, which have often proved to be too restrictive for these purposes.

The “Home Plan” can therefore be considered a true integration of the existing building/urban planning legislation to be implemented through dedicated provisions adopted at regional and municipal level.

The law also leads to an accelerated building permit procedure and easier accessibility to construction activities, with new building opportunities for the citizens.

The “Home Plan” is also a provision that combats the economic crisis and fosters adapting the existing housing supply to the housing needs of the citizens and improving the seismic stability of existing buildings.

However, the acceleration and simplification introduced by the “Home Plan” are still obliged to respect the new anti-seismic legislation fully (legislation that came into force after the disastrous l’Aquila earthquake), in order to improve the static and architectural quality of buildings as well as to improve the energy-environmental sustainability of already existing buildings.

Basically, the “Home Plan” derogates from the forecasts of the municipal town planning and building instruments in force and therefore makes it possible to carry out conversion projects on buildings already standing, with the possibility of extending them within the following basic limits.

- a) 20% for single/multi household residential buildings with a volume that does not exceed 1000 cubic meters, the maximum overall extension for the entire building must not exceed 200 cubic meters total volume;
- b) 10% for non residential buildings, dedicated to handicraft activities, light industry and neighbourhood businesses with a surface area that does not exceed 1000 sq. meters, so long as the specific designated use is not changed for the following ten years at least.

For buildings in areas classified as high seismic risk areas, the extensions defined above are allowed exclusively on condition that the entire building be made fully compliant with the anti-seismic legislation in force.

The above extensions must also be built to comply with the provisions of national and regional legislation related to energy-environmental sustainability and ecological design.

Buildings can also be replaced, with demolition and reconstruction of at least 75% of residential buildings, and with a 35% maximum extension in existing volume or surface area.

The height of buildings cannot exceed the maximum height of the adjacent buildings and the distances laid down by law must also be respected.

For buildings situated in historical centres, applications for building permits through the “Home Plan” must also be submitted to the Soprintendenza (the technical body within the Ministry for the protection of cultural, environmental, historic and landscape heritage), which can impose rules and additional building conditions to ensure the historic, architectural and environmental context in which the building is located is respected.

The law also defines cases in which it is not possible to carry out extension and/or demolition and reconstruction work.

These are:

- buildings that are in areas where there is a total construction ban or in natural and archaeological areas;
- Illegally constructed buildings struck by a demolition order;
- private buildings situated in state-owned areas.

The “Home Plan” could contribute to increase the stock of public and social residential buildings considerably.

In the larger cities, there is often a need to increase the availability of existing or feasible housing, therefore with dedicated "Urban Revitalization Plans", the “Home Plan” makes it possible to develop entire urban areas, thanks to simplified procedures (bureaucratic/administrative streamlining) and the possibility for builders to increase the volumes built, so long as the Revitalization Plan includes a proportion of “social housing”.

Limited extensions are allowed even in historical centre areas so long as cultural, architectural and historical assets are respected.

As for the time it takes to obtain the necessary permits, an enormous effort is being made in Italy to simplify authorization procedures and this includes electronic transmission of the necessary documents and plans.

It is often sufficient to submit a building start-up notification, accompanied by a special technical document in which the designer, under his personal liability, certifies compliance with all the conditions and constraints laid down by Law.

The building start-up notification must also include: deed of legitimation certification, all the plans required by the building legislation in force and a self-certification of the designer concerning compliance with health and hygiene provisions.

Therefore, the Home Plan will have a considerable impact on the entire country, both from the strictly economic point of view but also from the point of view of land use management.

In some regions building projects have developed very rapidly, in others, they have developed more slowly, probably depending on the financial resources of the operators.

The main elements of the “Home Plan” will affect feasibility studies, proposed solutions and projects, accurate checks on locations and the different town planning situations, surveying and graphic representations.

There will be expectations and opportunities, with the added volume of housing, great advantages for existing buildings (the possibility of introducing social mortgages is being envisaged) and obviously this will directly enhance and highlight the work of the technical professionals in this field.

The professional role of the Surveyor is therefore extremely important, as it is the Surveyor who will be in charge of producing feasibility and opportunity studies, designs and plans and who will direct the work for the very many private individuals and bodies with projects of limited dimensions.

Furthermore, Surveyors are still the technical professionals, par excellence, able to ensure a perfect match between what has been built, what has been authorized and what has been entered into the Land register, since thanks to their professional activity, they are constantly aware and respectful of municipal and land register legislation.

Therefore, with the “Home Plan” that to a large extent entails interventions on existing buildings with extensions and modifications of limited dimensions, Italian Surveyors are once again called upon to exercise their professional role as irreplaceable technical experts in the context of technical relations between individual housing owners and the Public Administration, during the study, the planning, the registering and land conservation stages, thus contributing to an appropriate land management that is in the interest of everyone.

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