

Landscape Planning and SEA in Germany

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Landscape Planning in Germany

Landscape planning is the key planning instrument for nature conservation and landscape management in Germany.

The *regional landscape programme* (*Landschaftsprogramm*) covers the entire territory of a Federal State (*Land*).

There are *landscape master plans* (*Landschaftsrahmenpläne*) at the district or planning region (*Regierungsbezirk, Landkreis, Planungsregion*) level.

The *local landscape plans* (*örtliche Landschaftspläne*) are based on the specifications contained in the regional landscape programme and the landscape master plans.



Tasks and Functions of Landscape Planning

(Article 13 (1) of the Federal Nature Conservation Act)

It is the task of landscape planning

- to set out the requirements and measures of conservation and landscape management for the planning area concerned
- to provide appropriate reasons for the measures planned

Landscape planning also

- serves to implement the aims and principles of nature conservation and landscape management in other plans and administrative procedures the resultant decisions of which may have an impact on nature and landscape in the planning area concerned.



Tasks and Functions of Landscape Planning

1. Information

Describing nature and the landscape as a dynamic system with interrelated functions.

2. Precautionary approach

Identifying the impacts of existing and anticipated plannings and utilisations.

3. Compatible development

Proposing measures that are consistent with the natural assets and landscape qualities to be protected



Tasks and Functions of Landscape Planning

- 4. Establishing assessment criteria**
Providing environmental quality objectives for assessing environmental impacts.

- 5. Coordination**
Balancing of different claims and interests in planning and decision-making process.

- 6. Communication**
Involvement of relevant specialised agencies and other institutions, associations and the public.



Contents of Landscape Planning

(Article 14 (1) of the Federal Nature Conservation Act)

The requirements and measures of nature conservation and landscape management shall be set out in landscape programmes (*Landschaftsprogramme*) or landscape master plans (*Landschaftsrahmenpläne*) and in landscape plans (*Landschaftspläne*). Such plans shall contain information about:

1. the existing and anticipated status of nature and landscapes
2. the concretized aims and principles of nature conservation and landscape management
3. the assessment and evaluation of the existing and anticipated status of nature and landscape on the basis of these aims and principles, including any resultant conflicts



Contents of Landscape Planning

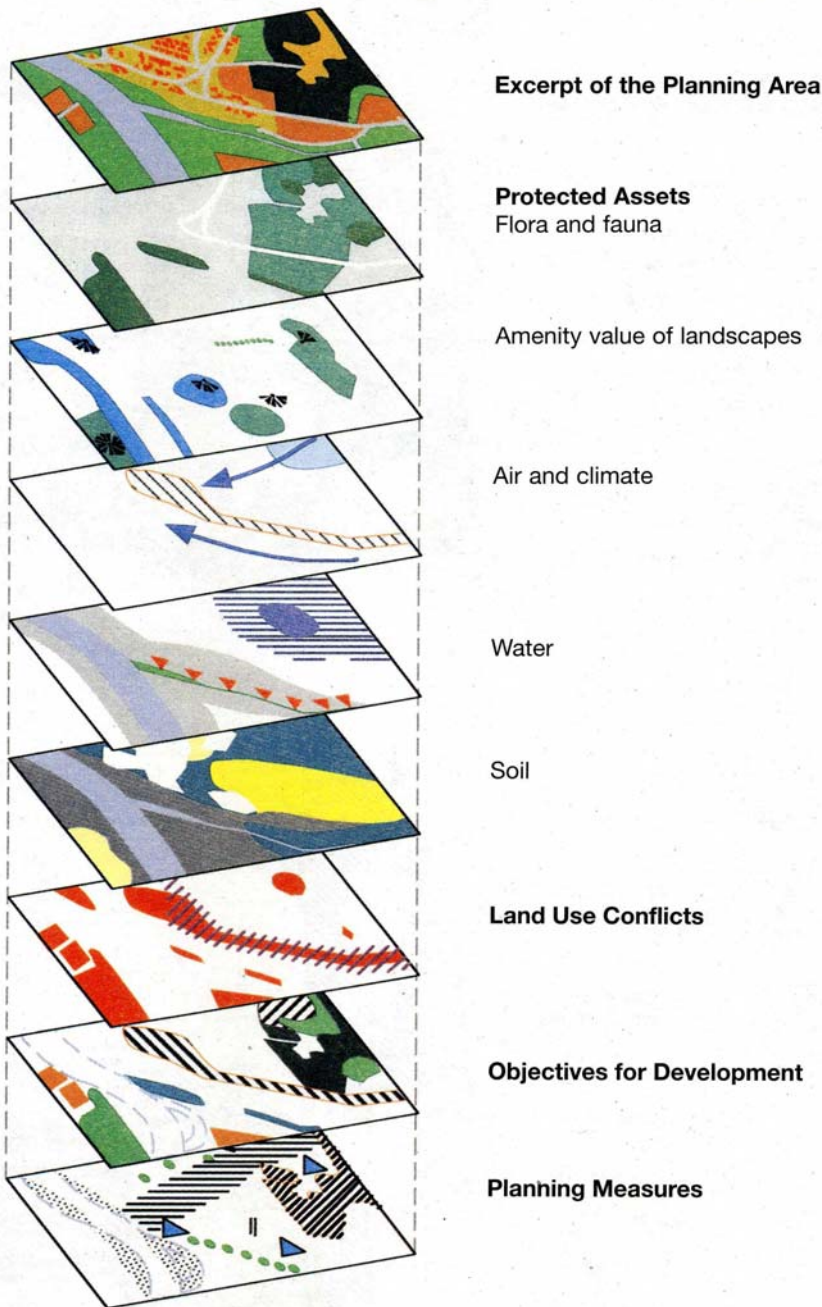
(Article 14 (1) of the Federal Nature Conservation Act)

4. the requirements and measures needed
 - a) to avoid, reduce or eliminate adverse effects on nature and landscape
 - b) to protect, manage or develop certain parts or components of nature and landscape in conformity with Section 4, as well as the biotopes and biocoenoses of wild fauna and flora species,
 - c) in areas which, by virtue of their status, location or natural development potential are particularly well-suited for prospective measures of nature conservation and landscape or for the development of a network of interlinked biotopes,
 - d) to develop and protect the European ecological network “Natura 2000”,
 - e) to protect, improve the quality of and allow regeneration of soils, waterbodies, air and climate,
 - f) to preserve and develop the diversity, characteristic features and beauty of nature and landscapes, also with a view to fundamental human experience, enjoyment and recreation.



Decision-making Steps

The individual steps involved in the decision-making process pertaining to the protection and development of nature and landscapes



Inventory and Evaluation

Incl. Evaluation Of Conflicts

Objectives

Measures

Fig. 16: Landscape planning: an illustration of the individual steps involved in the decision-making process pertaining to the protection and development of nature and landscapes.



Legal Status of Landscape Planning

(Article 14 (2) of the Federal Nature Conservation Act)

Plannings and administrative procedures shall take account of the contents of landscape planning. In particular, the contents of landscape planning shall be taken into consideration in environmental assessments or when assessing compatibility within the scope of Article 34 paragraph 1. As far as relevant decisions cannot be geared to the contents of landscape planning, appropriate reasons shall be provided.

The relationship of landscape planning to outline spatial planning and sectoral planning

Planning area	Landscape planning instruments	Outline planning instruments	Sector planning instruments ⁴⁾	Scale (metric) of the landscape planning instruments
<i>Land</i>	Landscape programme ¹⁾	<i>Land</i> regional planning programme ¹⁾	Sector programme or sector plan at the Land level	1 : 200,000 to 1 : 500,000
Region Gov't District County	Landscape master plan ¹⁾	Regional plan	Sector master plan (depending on statutory sector regulations)	1 : 25,000 to 1 : 50,000
Commune	Landscape plan ²⁾	Land use plan	Project plan at the planning consent level or the public works planning procedure level and/or execution plan	1 : 5,000 to 1 : 10,000
Communal territory section	Open space structure plan ³⁾	Binding construction plan		

¹⁾ These planning instruments are named differently according to *Land*.

²⁾ Excepting the city states of Berlin, Bremen and Hamburg as well as the *Länder* North Rhine-Westphalia and Thuringia.

³⁾ These planning instruments do not exist in all of the *Länder* or may be termed differently.

⁴⁾ Including EIA and landscape management planning.



Landscape Planning in Germany

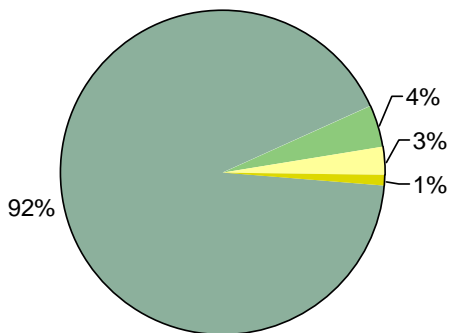
What are the benefits of landscape planning?

Local landscape planning supports the municipalities by serving as an important decision-making tool for sustainable municipal development. It creates important preconditions for:

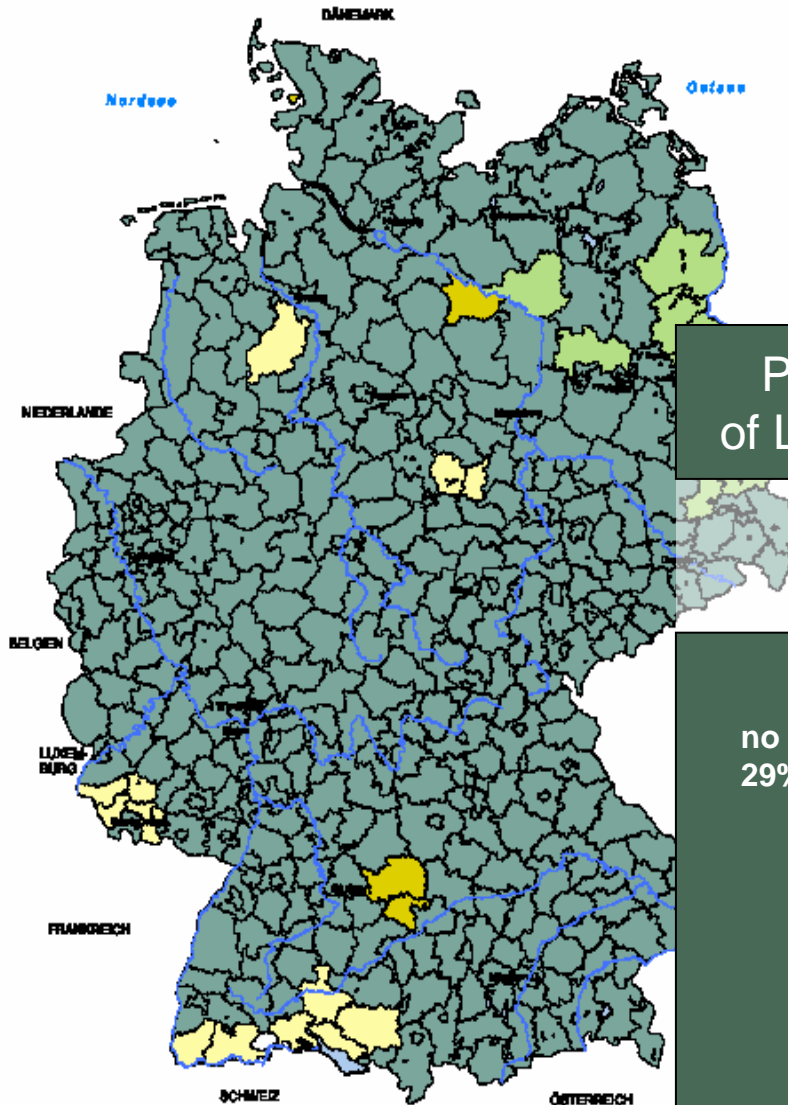
- sustainable town and country planning with low levels of land consumption and landscape impact
- increased planning certainty and acceleration of planning processes
- underpinning the municipality as an attractive business location with an improved residential and work environment
- comprehensive protection of the integrity of natural life-support systems
- improved recreational opportunities and tourism development
- improved integration into marketing opportunities for regional products
- improved regional identity.



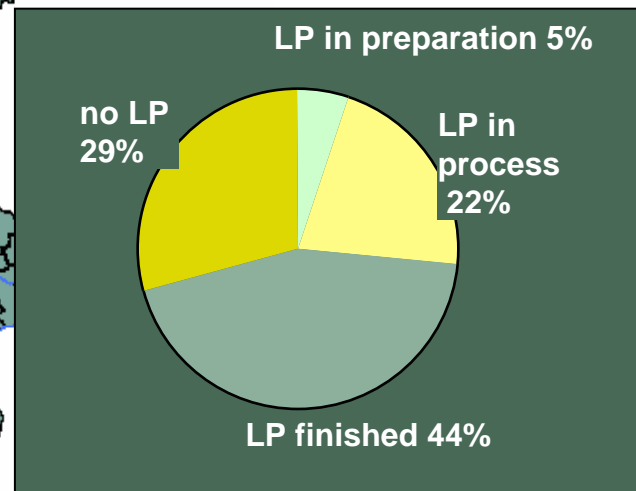
Status Quo of LRP (30.03.2004)



- LRP finished
- LRP in process for parts of the region.
- LRP in process
- no LRP



Present Status of LP (30.03.2004)



- Realisierungsstand:
- LRP abgeschlossen
 - LRP für Teilbereiche im Planungsstadium in Bearbeitung
 - LRP in Bearbeitung
 - keine LRP

Anmerkungen:

- * nach Kenntnisstand des BfN; in Schleswig wurden die Landschaftsprogramme zugrunde gelegt; in Bayern LRP als Teil der Regionalpläne; in Brandenburg LRP für Landstrichen, Einzelne Städte sowie für Großsiedlungsgebiete und Bausiedlungsgebiete; nach neuem NEULOG keine LRP mehr vorgesehen; in Nordrhein-Westfalen Gebietserstellung als LRP; in Rheinland-Pfalz LRP in der Bearbeitung; in Sachsen LRP als Bestandteil des Regionalplans; jedoch durch LRP für Großsiedlungsgebiete und Bausiedlungsgebiete in Brandenburg

Quelle: Landes-Rundschau für Naturschutz (LRN) Landschaftsplanung Nr. 1/2001



Strategic Environmental Assessment

Aims:

effective environmental precaution;
assessment of environmental impacts of a plan or a programme; the result is to be taken into account during the preparation of the plan or program

Tasks:

- ▶ Screening
- ▶ Scoping
- ▶ **Environmental report**
- ▶ Consultation
- ▶ Consideration during decision making



Strategic Environmental Assessment

Environmental report

Contents:

Identification, description and evaluation of the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and the geographical scope

The information to be provided: [*Annex I Directive 2001/42/EC*]

(a) ...



Landscape Planning and SEA

Much of the contents of landscape planning can be used within the SEA

- ▶ Information about the condition of nature and landscape
- ▶ the sites and the specific aims for nature protection and landscape conservation
- ▶ anticipated effects of plans and projects
- ▶ related planning proposals for preventive, mitigation and compensation measures



Landscape Planning and SEA

In addition to its existing spectrum of tasks and functions, landscape planning is able to compare the changes ascertained for the protected natural resources and functions (diagnosis) with the environmental effects to be anticipated (prognosis), to be documented in the environmental report.

This provides an essential basis for assessing the effectiveness of comprehensive spatial planning in monitoring of adverse environmental impacts.



Summary

Landscape planning is the central spatial planning instrument of nature protection and landscape conservation.

It provides fundamental information, evaluation standards and results for nature and landscape, as well as site-specific objectives for conservation development.

Landscape planning formulates environmental specifications and requirements for comprehensive spatial planning as well as for other sector planning. Therefore it is suitable to the requirements of SEA.



Summary

Landscape planning is, however, the only instrument of environmental protection that is concerned with the entire capacity and functionality of the natural environment.

In other words, it is not concerned with a single natural resource but with the interdependence of the natural resources and with additive and synergistic effects in a comprehensive context.

This substantial overlap should be utilised to benefit SEA.

**Thank you very much
for your attention!**

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More Information:

<http://www.bfn.de/03/0313.htm>

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