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Landscape in the spatial planning system of European countries

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Introduction

Several researches, projects were launched about the varied spatial planning systems of European countries. For example an extensive comparison analysis was carried out by the guidance of the Directorate-General for Regional policy and Cohesion of the European Commission about the spatial policy of the member states (15 members) in 1997. However researches dealing with the state and scope of landscape planning country by country are quite unique. Conflicts of landscape planning and protection differ just mostly because of the different landscape conditions in Europe, but for the way and method how the issues of landscape planning are integrated in the spatial planning systems of European countries have diverse solutions.

In our research study we had the following goals:

- Exploring the influence of the European integration on the spatial and landscape planning of countries;
- Highlighting the main differences of spatial planning system in the countries (system, focus);
- Comparison among the forms and mechanisms of integration and implementation of landscape issues and landscape planning in the spatial planning system.

Materials and Methods

We carried out an extensive research exploring the main differences and similarities in spatial planning systems and the landscape issues integrated into spatial planning system of the European countries. The literature overview was supplemented by a comparison analysis of the Vital Landscape project co-financed by Interreg CE. Our research covered Germany, Austria, Slovenia, Poland, Slovakia, Hungary, Check Republic and Norway. The observed countries are the member states of the European Union with exception of Norway, which is a member of the European Economic Area, so it participates in the EU's Internal Market. From this point of view it is also interesting what kind of differences arise from the membership.

This work builds on national reviews of landscape protection (country report on European Landscape Convention) and national concepts (Land use development principles, Land use development principles – Czech Republic; Spatial Development Strategy and Spatial Order of Slovenia, Act on spatial planning in Slovenia etc.), acts in sectors influencing spatial planning (Act on Spatial Planning and Development – Poland; Nature Diversity Act – Norway). Most of the countries ratified European Landscape Convention and it opened up a broad forum on landscape protection and planning. Mostly all of the countries elaborated reports on the state and efforts in the field of landscape protection. We scanned the country reports and documents focusing on the following questions:

- Which is the territorial unit where the regulation of spatial planning is formed?
- What are the territorial levels of spatial planning?

- Whether the regional planning and land use regulation are divided?
- What are the forms of integration of landscape into spatial planning and in local plans?
- Were any changes in attitude toward landscape in the last two decades?
- Whether European Landscape Convention (ELC) influenced landscape planning in the observed countries?
- Is there any independent landscape plan?
- Are there any special mechanisms for implementation of landscape plans, landscape issues?
- Are there any specific difficulties in implementation of landscape plans or landscape issues related to spatial plans?
- Are there any consultation/coordination forums among sectors influencing the landscape changes?

Results

In the **European Union** the concept of spatial planning is used in a wider sense. It is an important tool for reaching social, economic objectives particularly in mitigation of territorial differences. In most countries spatial planning covers regional development and land use planning as well in practice. Our research analyzed how the legislation of EU and the Council of Europe formed the landscape and spatial planning systems of the countries. This system of Eastern-Central European countries went through comprehensive revisions during the 1990's because of the political changes and in order to adopt the legislation of the EU. Spatial planning does not belong in to the scope of the common EU policies so there are just recommendations elaborated by the institutions of the EU in this sphere. The *European Spatial Development Perspective* (ESDP, 1999) was a great progress in the history of EU regional policy. Although it does not mean any new responsibilities for the member states, it formulated common objectives for the balanced and sustainable regional development of the entire territory of the EU and gave guidance for spatial planning of the member states. The ESDP called the attention to that the natural and cultural heritage are economic factors which are becoming increasingly important for regional development. Cultural places of interest are also an essential precondition for the development of tourism. The ESDP warned us of the common feature of many European landscapes which is their constant further development. Unfortunately this is mostly leading to more uniformity and to the loss of biodiversity. Several guidelines of the ESDP served the protection and consideration of landscape values as resources for spatial development. The ESDP introduced such new concepts as the term of cultural landscape or the European ecologic network of Natura 2000 areas which breaks with the past idea of nature conservation and introduced the practice of protection by use. The *Territorial Agenda of the European Union* as a continuation of the ESDP was adopted in 2011. The Agenda as a short policy paper aims at mobilizing the potentials of European regions and cities for sustainable economic growth facing the economic, social and environmental challenges.

The **Council of Europe** has a great role in emphasizing European landscape values. A number of existing international legal instruments have some bearing upon landscape, either directly or indirectly. However, there has been no international legal instrument for years that dealt directly, specifically and comprehensively with European landscapes and their preservation. The *European Landscape Convention* was designed to fill that gap. The specialty of the European Landscape Convention is that its recommendations and measures cover all the forms of

landscape which European countries possess. The general purpose of the convention is to encourage public authorities to adopt policies and measures at local, regional, national and international level for protecting, managing and planning landscapes throughout Europe so as to maintain and improve landscape quality and bring the public institutions and local and regional authorities to recognize the value and importance of landscape and to take part in related public decisions. The European Landscape Convention (ELC) adopted by the Council of Europe has a great effect on landscape planning, some of the observed countries signed and /or ratified it and some of them not (Figure 1.).

States	Signature	Ratification	Entry into force
Austria	No	No	No
Czech Republic	28/11/2002	3/6/2004	1/10/2004
Germany	No	No	No
Hungary	28/9/2005	26/10/2007	1/2/2008
Norway	20/10/2000	23/10/2001	1/3/2004
Poland	21/12/2001	27/9/2004	1/1/2005
Slovakia	30/5/2005	9/8/2005	1/12/2005
Slovenia	7/3/2001	25/9/2003	1/3/2004

Figure 1. Ratification process of ELC

Source: http://www.coe.int/t/dg4/cultureheritage/heritage/landscape/default_en.asp

Spatial planning systems in all examined countries work on different levels as each member state has a unique government structure. Broadly the states can be categorized as federal (Germany, Austria), regionalized (Poland) and unitary (Slovenia, Norway, Hungary, Slovakia, Czech Republic) countries. In the classical unitary countries self-governance of territorial units is limited. The regions of regionalized or federal countries possess over significant regulation power, separateness, and financial independence (*Illés, 2011*). Due to its federal structure in Germany and Austria the regions are responsible for establishing the legislative framework for spatial development. In the unitary or regionalized countries the state governments are responsible for shaping the legislative framework of spatial planning system and the preparation of spatial development plans/strategies. In all unitary countries we can witness the process of decentralization because of the influence of the EU so in almost all country's regions were set up (up till now with the exception of Slovenia despite of the commitments).

Planning sphere	Western-Central-Europe	Hungary
Land use	<i>Spatial planning</i>	Land use planning
Transport infrastructure		
Settlement development		Regional development
Demography, employment		

Social welfare		
Economic structure		
Financial subsidies for enterprises	<i>Regional planning</i>	

Figure 2. Focus of spatial plans in Hungary Source: Illés, 2011.

If we look at the **focus of spatial plans** on higher territorial level mostly focus on development strategies, guidelines. On local level the land use regulation is the most important part of them. In some countries the spatial planning system is divided by two planning branches: regional development plans and land use framework plans (Figure 1.). The levels, the connection, and content of the two planning branches are regulated in detail in Czech Republic and Poland as well (Figure 3.). In *Hungary* the coherence of regional and land use planning is incomplete: on different territorial levels the two plan types are sometimes elaborated and adopted by different institutional bodies which hinders the effective and successful implementation of plans.



Figure 3. Relation between the spatial and strategic planning in Czech Republic

Source: adapted from Kašparová, Půček (2008) viz. www.uur.cz. Arrows marked in full colour represent legally binding relationships

Overall in all countries, the local authorities are responsible for detailed spatial planning and the preparation of land use plans. Each country has a unique solution about how the **landscape issues** and topics are integrated **in the spatial planning system**. In most of the countries legal documents related to biodiversity, nature protection or landscape protection have strong influence on the spatial plans. The landscape issues mostly as analysis of the observed territory's conditions as landscape structure, landscape ecology (Norway, Slovenia) or as a step at the beginning of the processes of territorial planning (Slovakia) but also as special regulation zones in spatial plans as ecologic network, or landscape scenery protection areas (Figure 4.). In *Slovenia* landscape development is an integral part of spatial plans, mostly landscape issues are considered as protected areas of different sectors. In *Poland* voivodeship spatial management plan

(regional level) always defines areas under a special planning regime (e.g. ecologically protected areas and areas of restricted land use).

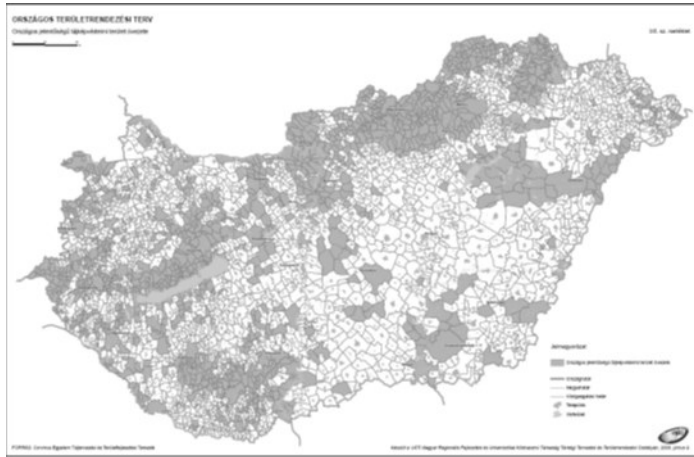


Figure 4. Landscape scenery protection areas from the National Land Use Framework Plan of Hungary

Source: *National Land Use Framework Plan of Hungary*,
<http://www.vati.hu/index.php?page=main&menu=19819&langcode=hu>

In most of the countries there are special **landscape plans** or more precisely management plans for protected areas (Norway, Czech, Hungary). In *Norway* management plans are made for protected areas, but landscape is not a dominant aspect of these plans. The plans are part of the protection decision making process /designation. Landscape protection in *Poland* concerns mainly conservation of huge landscapes parks and cultural parks. On operation level it is implemented in the framework of landscape plans by municipalities (Majchrowska, 2011). At present, the landscape planning is missing in the *Czech Republic* and therefore conflicts arise with the application of the strict landscape protection programs. The management of large-scale protected areas has been institutionalized and the management (attendance) plans for protected landscape areas represent specific tools to ensure attainment of goals in terms of landscape formation, even if the individual components of landscape are given more attention than the whole systems (Plesník, 2008). In *Slovakia* landscape plan has a position only as a base document in the frame of land use planning called as “Landscape-ecological plan” which is the analytical back-ground for a spatial plan. Reasons why landscape-ecological plan was included into land planning documentation:

- tradition of landscape-ecological school in Slovakia
- the methodology of landscape-ecological planning (LANDEP) developed and used
- the concept of “Territorial system of ecological stability of landscape” (ÚSES) included into legislation: the Act on nature and landscape conservation No. 287/1994 Z.z. and 543/2002. (Halada, 2005). Unfortunately the gap in Slovak legislation allows skipping this phase in the case, if the municipality has not enough financial resources. The landscape-ecological plan is often replaced by the older type of the document called “territorial system of the ecological stability” which is sort of reduced document dealing only with the ecological stability of the territory, not with the complex knowledge of potentials, characteristic features and limits of the landscape (Synthesis report, 2011; Halada, 2005). It’s quite unique that like the spatial plans on all planning levels there are landscape plans or programs. In *Germany* landscape planning is the

basis for nature and landscape protection on regional level. Since 1976 when the Federal Nature Conservation Act was adapted landscape programs were drawn up for the federal states (www.bfn.de). As the only one among the observed countries on all spatial level landscape plans are elaborated (Figure 5.)

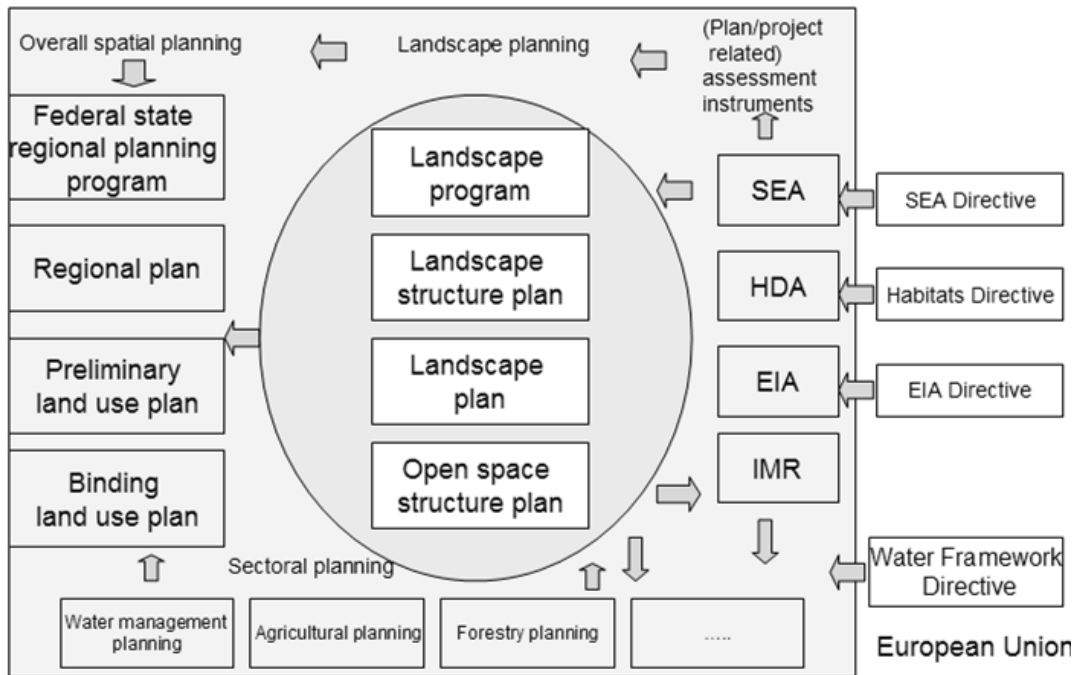


Figure 5. Position of landscape planning in the planning system in Germany

Source: http://www.bfn.de/fileadmin/MDB/documents/themen/landschaftsplanung/landscape_planning_basis.pdf

Regarding **implementation of landscape plans** or **issues** related to landscape planning in spatial plans in almost all countries we witnessed **difficulties** and problems. In *Hungary* the problem is the monitoring and implementation of the guidelines of land use plans. For example all the national and county land use framework plans to designate the areas for landscape rehabilitation but there are neither financial resources nor detailed plans for the implementation. So the realization mostly depends on the financial resources of the owner of the area. Mostly the guidelines and restrictions of the county and national land use framework plan will be implemented through the land use plans and environmental programs of the settlements. In *Slovenia* the PLUREL project report highlighted the lack of instruments for supervising the location of activities, and for monitoring the implementation of adopted spatial planning documents which caused many conflicts as uneven urban development, suburbanization pressures along motorways, uncontrolled dispersed building construction, restructuring of rural areas due to a changed role of agriculture etc. (PLUERL report).

In the last two decades in several countries can be witnessed a **growing awareness for landscape protection**: examples include encouraging instances of good practice in landscape matters at the local and regional levels in civic, administrative, and professional circles, photography contests, ecomuseums (Ekomuzea n.d.), greenways (Program Greenways w Polsce

n.d.), nature parks and regional landscape strategies in *Poland*, Hungary, Slovenia etc. In spite of the general picture that the theme of landscape has a second place behind the economic development as in Slovenia and Hungary. After 1990, because of the political changes, the system of spatial planning changed as well partly because the hierarchy of the institutions of different spatial levels changed in *Hungary*. For example during the socialism the institutions of the counties were really strong, have high authority above the settlements. Nowadays the counties can not control the settlements that is why a national land use framework plan in the form of an act was elaborated. It essentially changed the role of the landscape and the role and the means of landscape plans as well. During the socialist regime the private ownership had a really low rate in the land ownership. Thus the state or the state owned companies: agricultural co-operatives, forestries, mines etc. had a great role in forming of the landscape and land structure. For the national parks and landscape protection areas regional landscape plans were elaborated (official statement 9007/1983). Nowadays such landscape plans are not prepared any more.

In all countries **many different sectors influence landscape planning** as environmental, nature protection, forestry, agriculture, infrastructure development, regional and urban planning, rural development etc. Many countries reported difficulties in harmonizing different needs and problems of **consultations**. In *Slovenia* all the sectors relevant for the planning issue are to take part of planning procedures from the very beginning. In case of disparities, these have to be mitigated with meetings where everybody try to achieve the harmonized solution. Unfortunately this is complicated and time consuming procedures which makes the harmonization very un-efficient in acceptable time (Synthesis report, 2011; PLUREL, 2011). For the vertical and horizontal partnership *Norway* is a good example (Figure 6.). All the county authorities have for nowadays set up ‘planning forums’, which are coordination bodies at regional level in which municipal land use plans are discussed with central government and regional authorities (<http://www.regjeringen.no>). Due to it’s federal structure in *Austria* spatial planning is regulated mostly on regional level with the significant influence of national sectoral policies. So it was also important to set up efficient consultation forum for all the relevant bodies, stakeholders and sectors which is the *Österrreichische Raumordnungskonferenz* (OEROK) founded in 1971. On various issues also relevant for landscapes frameworks for consultation exist, but these are not specifically dedicated to landscape; as regards issues related to biodiversity and the implementation of the Convention on Biological Diversity in Austria: “National Biodiversity – Commission”; as regards forest issues: “National Forest Dialog”; as regards the implementation of the Alpine Convention and its Protocols: National Alpine Committee; as regards rural development: “Rural Development Board”; National UNESCO Commission, etc. (country report on ELC).

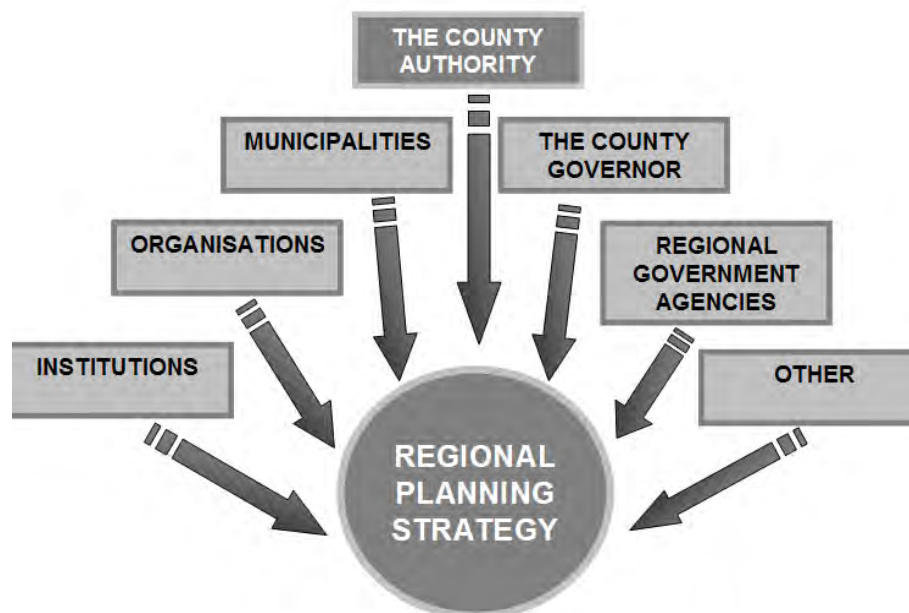


Figure 6. Regional planning strategy as an arena for dialogue and cooperation in Norway
 Source: adapted from <http://www.regjeringen.no>

Discussion and conclusion

The observed countries **face** more or less **similar problems and conflicts** related to spatial planning. Analyzing the questions we can find these but good examples as well.

Generally differences of the spatial planning system and landscape planning do not originate from different membership (EU) or ratification of any convention (ELC) but rather the different traditions of administration, government and importance of nature and landscape protection. So however Germany has not signed the ELC yet it has long traditions in nature conservation and strong legal instruments related to landscape protection and planning.

The **European integration** has a great effect on spatial planning on the observed countries even though it does not belong in the sphere of community policies, but through a number of common policies such as environmental-, nature protection, regional planning, transport planning etc. the EU legislation has a significant influence on spatial planning. In the field of landscape planning the Council of Europe through the European Landscape Convention has a great influence. The ELC has such professional significance that it influenced landscape planning in all European countries. One of its greatest achievements is that it opened up an international forum, knowledge platform for exchanging know-how and experiences in the field of landscape planning and protection. Mostly in the countries in the field of mapping, analysis and evaluation of landscape has been launched efforts and landscape award competitions or photo competitions have been launched for awareness raising (Hungary, Czechs). The countries mostly follow the landscape definition of the ELC with the exception of Poland as it rejects the traditional distinction between cultural and natural landscape (Majchrowska, 2011).

One of the main differences was that in some countries planning branches are divided. In countries where the coherence of regional and land use planning is regulated in detail and there

are well functioning consultation mechanisms between the planning activities this type of division does not cause difficulties.

As a conclusion of our comparison analysis we can state that the main problem because of which the measures and activities can not be efficient is that the **landscape issues** are mostly **divided among different bodies** but also **between different spatial levels** as well. Norway and Austria are good examples for vertical and horizontal co-operation.

Common problem is the **lack of guaranteed ways of co-operation**. Very good example for that is Austria however here as well are problems in implementation of landscape plans. In Austria there are controlled ways and methods of co-operation in spite of the fact that there is no independent sector of landscape planning.

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