SEA in the Polish system of spatial planning

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Planning documents in Polish system are related each other. Most of relations are of up-down nature.
## Scope of planning documents

<table>
<thead>
<tr>
<th>National spatial development concept</th>
<th>Voivodeship spatial development plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. national settlement network</td>
<td>1. voivodeship settlement network, transport and technical infrastructure inter-relationships</td>
</tr>
<tr>
<td>2. conditions for environmental and monument protection including protected areas</td>
<td>2. system of protected areas, including areas of environment, nature, landscape protection, health resorts, monuments and cultural heritage protection</td>
</tr>
<tr>
<td>3. location of social infrastructure of international and national importance</td>
<td>3. location of supra-local public investments, including: social, technical, transport, tourism infrastructure, marine and water management</td>
</tr>
<tr>
<td>4. location of technical and transport infrastructure, strategic water resources and water management infrastructure of international and national importance</td>
<td>4. problem areas including principles for their development</td>
</tr>
<tr>
<td>5. problem areas of national importance</td>
<td>5. auxiliary support areas</td>
</tr>
</tbody>
</table>

**SCALE 1: 300 000**

### Study on pre-conditions and directions of spatial development

1. directions for transformation of physical structure and land function
2. directions and indexes of land use, including prohibition of building
3. areas and principles of protection of environment and its resources, nature, cultural landscape and health resorts,
4. areas and principles of cultural heritage and monuments protection
5. directions for technical infrastructure and transport development
6. areas of supra-local and local public investment location
7. directions and principles of arable and forestry land management
8. areas threaten with flooding and landslides
9. areas which require transformation, rehabilitation or reclamation
10. others problem areas

**SCALE 1:10 000 up 1: 25 000**

### Local land-use plan

1. land use and demarcation lines for different land-use
2. principles for preservation and shaping of spatial harmony
3. principles for preservation and protection of environment, nature and cultural landscape
4. requirements related to public space shaping
5. indexes for development structures (build-up areas) and areas management, including building line, building overall dimension and indexes of build-up intensity
6. borders and rules of management of areas or objects under protection
7. detailed rules for restructuring land holdings
8. detailed conditions for land management as well as limitation in land-use including prohibition of building

**SCALE 1:1000, 1:500, 1:2000 or 1:5000**

### Voivodeship spatial development plan

1. voivodeship settlement network, transport and technical infrastructure inter-relationships
2. system of protected areas, including areas of environment, nature, landscape protection, health resorts, monuments and cultural heritage protection
3. location of supra-local public investments, including: social, technical, transport, tourism infrastructure, marine and water management
4. problem areas including principles for their development
5. auxiliary support areas
6. areas threaten with flooding
7. areas with documented mineral deposits

**SCALE 1:100 000**
PREVIOUS EXPERIENCE IN ENVIRONMENTAL ANALYSIS in spatial planning system in Poland

1964-1980

Physiography study, obligatory, consisted of two parts:

1. characteristics of all environment components

2. classification of the components regard to their usefulness for different land use functions and management, mainly: housing and service supply, industry, agriculture and recreation development

• The study also concerned the nature protection issues

• Prepared in advance to a plan

1984-2002

Environmental pre-conditons, non obligatory, at least scope as for physiographical study

1998 – up today

Prognosis of impact of a plan at environment and human health, obligatory, scope not given, mostly follow EIA requirements

In 2001 scope for prognosis was given in Environmental Protection Law (27.04.2002)

In 2002 scope for prognosis for a local land use plan was detailed in Decree of Minister of Environment (9.09.2002)

2002 – up today

Ecological physiography study, obligatory, overall scope given in Decree of Minister of Environment on ecological physiography study (9.09.2002)
EXISTING SYSTEM OF ENVIRONMENTAL ANALYSIS

<table>
<thead>
<tr>
<th>Planning documents</th>
<th>National spatial development concept</th>
<th>Voivodeship spatial development plan</th>
<th>Study on pre-conditions &amp; directions of spatial development</th>
<th>Local land-use plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ecological physiography study</td>
<td>Not required</td>
<td>Required according to the Minister of Environment Decree</td>
<td>Not required</td>
<td>Required according to the Minister of Environment Decree</td>
</tr>
<tr>
<td>SEA</td>
<td>Required</td>
<td>Required</td>
<td>Not required</td>
<td>Required according to the Minister of Environment Decree</td>
</tr>
</tbody>
</table>

Directive 2001/42/EC is fully incorporated into Environmental Protection Law Act (EPLA) of 2001 in Chapters:

IV Environmental information
V Public participation in procedures related to environmental protection
VI Procedures related to environmental impact assessment
Overall scope for SEA (prognosis) is determined in EPLA in accordance with Annex II to the Directive.

The outlines given in EPLA are mandatory for prognosis for national spatial development concept and regional spatial development plans.

Additionally, in relevant Decree of Minister of Environment (of 14.11.2002) specific requirements for prognosis of local land-use plans were defined.

The decree regulates:
- form of prognosis elaboration
- scope of issues to be determined and assessed
- spatial scope of prognosis
- type of documentations to be considered

Scope of prognosis for local land use plan (according to the Decree):

1. effects to the environment caused by a plan as air emission, solid waste generation, etc.

2. effects to air, earth surface, soil, mineral deposits, surface and underground water, climate, animals, plants – in their inter-action as well as to ecosystems and landscape caused by a plan implementation,

3. assessment of the environment state and functioning, its resources, resistance for deterioration, and capability to regeneration & likely evolution thereof without plan implementation.
4. function-spatial solutions and other plan recommendations in regard to:
• conformability of planned land use with outlines developed in ecological physiography study
• compliance with environmental regulations,
• efficiency of ecological diversity preservation,
• optimal proportions among different land use
5. conditions for land use in plan in regard to environmental protection needs, correctness of nature resources management and preservation of arable and forestry land,
6. environmental threats, with consideration of impact at human health,
7. effects for nature and other protected areas,
8. landscape changes,
9. alternative solutions.

PLANNING PROCEDURES AND SEA
In general the planning procedures in Poland could be divided in following stages:
- collection of suggestion
- plan elaboration
- collection of comments to plan
- verification of plan
- proclamation of plan
<table>
<thead>
<tr>
<th>Planning document</th>
<th>SEA screening</th>
<th>SEA scoping</th>
<th>Prognosis elaboration</th>
<th>Prognosis consultations</th>
</tr>
</thead>
<tbody>
<tr>
<td>National spatial development concept</td>
<td>Not allowed</td>
<td>Obligatory, but time is not determined, so it could be done at initial stage of plan elaboration or even in suggestion collection phase</td>
<td>At final stage of concept elaboration</td>
<td>As generally described in EPLA</td>
</tr>
<tr>
<td>Voivodeship spatial development plan</td>
<td>Not allowed</td>
<td>As above</td>
<td>At final stage of plan elaboration</td>
<td>In phase of opinions (comments collection) Public participation according to EPLA</td>
</tr>
<tr>
<td>Minicipal Study</td>
<td>SEA is not required</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local land use plan</td>
<td>Not allowed</td>
<td>Not allowed Scope of prognosis has to follow the decree of Minister of Environment</td>
<td>At final stage of plan elaboration</td>
<td>In phase of opinion, comments collection. Public participation in phase of placing plan and prognosis on deposit</td>
</tr>
</tbody>
</table>

**MAIN CHALLENGES**

- to cover study on pre-conditions and directions of spatial development of municipality with SEA procedure

- to introduce SEA screening and scoping phases for land use plan
CASE STUDIES
Prognosis of environmental assessment elaborated for Local Land use Plan “Służewska Valley Park”
Prognosis of environmental impact elaborated for Local Land –use Plan of Repki municipality

SUMMARY OF PRACTICE IN POLAND
- baseline information for prognosis are mostly based on ecological physiography study, additionally information from following documents are collected: environmental impact assessment reports, strategic environmental assessments prepared for supra-local investment or other programmes or plans, administrative decisions on use of the environment (when their were prepared after ecological physiography study preparation),
- identification of relevant environmental objectives is made on the basis of those given in environmental regulations (for nature protection and particular environment component quality), but it could be also made on basis of analysis of those given in municipal study or in environmental protection programme
- in general, assessment methods are similar to environmental impact assessment report for investments when possible,

- prognosis has to assessed impact to human health and cultural heritage

- part of prognosis for alternative solution is mostly not included as guidelines of prognosis author are involved into plan on basis of working contacts with urban planner

- post-SEA monitoring is made according to comments of environmental protection authorities and inhabitants.