Executive summary

Natura 2000 and spatial planning
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Summary

Background
The recently finalised fitness-check of the Nature Directives (Birds and Habitats) confirmed that the EU nature legislation is still fit for purpose and that the main problems (lack of full achievement of their targets) relate to their insufficient implementation. One of the key elements of the effective implementation of the Natura 2000 network and Nature Directives generally is integration of their objectives and requirements into other sectoral policies, such as transport, agriculture, tourism, energy, and urban development. This process is to a certain extent regulated by the Directives themselves. Suffice it to say that Article 6 of the Habitats Directive requires establishment of active conservation measures (which may impact other policies such as agriculture or forestry), prevention of environmental damage by all sectors, and assessment of plans and projects (including transport and energy infrastructure or zoning plans) which may negatively impact the Natura 2000 sites. In addition, Article 10 of the Directive encourages the Member States to improve the ecological coherence of the network and connectivity between the sites and also outside of protected areas.

In order to achieve these objectives, requirements of the Nature Directives have to be taken into account in the long-term spatial development plans and projects at national, regional and local levels in the Member States. This is because spatial planning addresses multiple policy goals and in principle is oriented towards balanced and sustainable territorial development. As a result, spatial planning policies are often perceived as an overarching and coordinating mechanism that can ensure balanced distribution of land-use functions and that can prevent potential conflicts in relation to land uses in and around Natura 2000 sites. Furthermore, spatial planning can maximise the contribution of the Natura 2000 sites to the sustainable development of the region.
Spatial planning and Natura 2000

Spatial planning, if oriented towards reconciling nature conservation with other policies' objectives, can be highly beneficial for implementing EU nature legislation. However, a thorough exploration of the potential role of spatial planning and its instruments for the implementation of Natura 2000 has not yet been made either at EU or Member State level. In order to bridge this knowledge gap, this study provides an insight into the role and functions of spatial planning policies at EU and Member State level in relation to Natura 2000 and Nature Directives more generally. The key areas of analysis in this study are the notion and rationale of spatial planning, its instruments and governance processes, the current and potential mechanisms for integration of Natura 2000 in spatial planning processes and in sectoral policies, the legal frameworks, cross-border cooperation and relevant spatial-planning technologies.

This study shows that spatial planning has an important role to play in coordinating and integrating policy objectives of different sectors and therefore allows the formulation of long and medium-term objectives and strategies for sustainable territorial development. Moreover, the study shows that spatial-planning policy in many Member States has been deliberately shifted from focusing solely on economic development to a more integrated approach that seeks to deliver environmental sustainability, including the achievement of nature conservation objectives. The experiences of the Member States have shown that, in contrast to traditional sector-oriented statutory spatial planning, an integrated spatial-planning approach is needed to achieve cost-effectiveness and sustainability of territorial developments.

While the scope of spatial planning may differ per country, the responsibility for the coordination of the various sectoral developments such as transport, agriculture, tourism, energy and urban development is allocated to a specific part of the government. Such an approach obviously creates challenges for effective integration of nature protection. However, case studies of best practices from across Europe presented in this study provide an idea of how this hurdle can be addressed.

The two main functions of spatial planning identified in the study, i.e. regulatory and development functions, have direct implications for the implementation of the Nature Directives. The first function is related to modification and approval of land-use developments promoted by different sectors. This approval process is often based on legal mechanisms such as the appropriate assessment of impacts on Natura 2000 (according to Article 6(3) of the Habitats Directive). The development function of spatial planning meanwhile relates to the development of concerned territories or sectors and can be used as a positive tool on the path towards the sustainable development of an area or a branch of economic activity, that might include the integration of nature objectives.

Land-use pressures resulting from ongoing urbanisation, land abandonment and agricultural intensification will continue to have an impact on the coherence of Natura 2000 sites. These impacts include loss of habitats and a decrease in the quality of species' habitats. Through integrated spatial planning a number of measures can be applied to reduce these impacts. In this context, the most common measures include segregation or integration of land-use functions for specific sectoral developments.

As illustrated by this study, spatial planning is a dynamic and a complex governance process that involves a number of interactions between different tiers of governmental authorities and across policy sectors. This process still faces a number of challenges and is often influenced by the spatial planning systems and traditions of the Member
States. To develop an integrated spatial-planning approach that will allow Natura 2000 objectives to be streamlined within different categories of spatial plans, the study finds that following key aspects need to be taken into consideration:

- the context-specific factors of spatial planning in different Member States e.g. planning cultures and institutional practices that influence spatial planning;
- the multi-level coordination and collaboration across governmental levels and sectoral departments;
- the existing ecological and spatial knowledge base which underpins the planning processes;
- adequate planning instruments to integrate Natura 2000 in spatial plans;
- early consultation with relevant stakeholders during the preparation of spatial plans in order to reconcile conflicting social-economic interests;
- the administrative and knowledge capacity of local authorities (e.g. urban planners, infrastructure planners and agencies) to address ecological requirements (e.g. habitat connectivity, favourable conservation status);
- the current gaps between strategic and operational levels of planning (e.g. between national spatial plans, sectoral plans on transport, energy, etc. and local land-use plans).

Legal frameworks for Natura 2000, spatial planning and sectoral policies

This study addresses the potential synergy between spatial planning, sectoral policies and Natura 2000 policy. Although spatial planning is the remit of the Member States, the EU, through its policy and funding opportunities, influences the spatial planning that is implemented by the Member States. Various sectoral policies at EU and Member State levels recognise the importance of including Natura 2000 in the development plans of sectors and in spatial plans at different governmental levels (e.g. the Marine Strategy Framework Directive (MSFD), the Water Framework Directive (WFD), the Marine Spatial Framework (MSF) and the Floods Directive). Progress in the implementation of the WFD, MSFW and the Floods Directive has resulted in a number of successful planning practices that enhance collaboration between EU policy sectors and advance an integrated spatial-planning approach to Natura 2000. In this context the SEA and EIA Directives are seen as key legal
instruments for assessing the impact of these sectoral plans and spatial developments on Natura 2000 areas. The key challenges for the implementation of the Directives are using up-to-date ecological knowledge for SEA and EIA assessments. Also, specific impacts per sector need to be considered to ensure that effective mitigation and compensatory measures to prevent or reduce these impacts are formulated and implemented adequately. Furthermore, monitoring the effect of these measures for nature will increase insight on effectiveness.

The EU funding programmes for 2014-2020 also provide a variety of instruments that can be used to improve the functionality and the connectivity of Natura 2000 and to develop better synergy between sectoral policies and spatial-planning processes of the Member States. Some of these measures include development of integrated spatial plans, management plans and investments to allow the protection of Natura 2000 and enhance its effectiveness across the Member States.

**Cross-border experiences**

The spatial relations between Natura 2000 areas across borders can be summarised in three main types of cross-border relations: trans-boundary Natura 2000 area, Natura 2000 areas on each side of the border, or areas on one side of the border. The main challenges for Natura 2000 areas across borders are to ensure joint management of trans-boundary parks, safeguarding the connectivity across the border between Natura 2000 sites and to ensure that plans/projects or the management of areas on the ‘other side’ of the border do not threaten the coherence between the sites.

The review of the current experiences presented in this report reveals that, although initiatives on cross-border cooperation exist, spatial planning across borders remains a rather complex and ad-hoc process. Cross-border cooperation requires considerable coordination efforts from the Member States involved. Such coordination is needed in order to develop shared methodological approaches and administrative practices for effective management of Natura 2000 sites within the border areas. Some of the key issues in developing such approaches are the differences in spatial-planning practices at cross-border level, the lack of shared objectives, the different management approaches to Natura 2000, the funding opportunities and the stakeholder involvement in designing sectoral developments and plans. Particularly important is the achievement of a horizontal level of coordination and collaboration between the cross-border institutions for spatial planning and nature conservation. Aspects that hinder cross-border cooperation include the lack of EU strategic guidance and the costs associated with cross-border cooperation. In addition, the benefits of cross-border collaboration need to be made more visible to the Member States so that a higher degree of commitment to this process can be achieved.

**GIS technology and remote sensing**

Nowadays, geo-spatial information technologies (GIS) play an important role in spatial planning processes as they provide a reliable information basis for decision-making processes. However, harmonisation of data is needed, as is the development of common standards for information from different data sources so that the various spatial planning tools can be made operational for Natura 2000 planning. Recently developed technologies facilitate and enable effective public consultation processes through web-based information platforms and discussion forums. In addition, these new technologies hold the potential for early engagement of different experts, thus ensuring that the available data can be accessed and interpreted in the right way.
Towards an integrated spatial-planning approach for Natura 2000

This study shows that, in order to introduce and implement an integrated spatial planning approach to Natura 2000 which secures a balance between sectoral policy objectives and Natura 2000 policy, the following aspects need to be taken into consideration at EU and Member State level:

- Natura 2000 needs to be an integral part of long-term strategies for spatial planning and territorial development. These strategies should address the relationship between sectoral developments and the need for improving and maintaining the functional connectivity of Natura 2000 areas;

- The spatial-planning systems of the Member States need to be further enhanced with regard to the implementation of the Nature Directives. Natura 2000 provisions should be more explicitly embedded as a priority objective within long-term spatial plans (e.g. 5-10 years) at regional and local level;

- The preparation of spatial plans and projects for specific sectoral developments needs to be based on ecological principles and knowledge. These plans should therefore ideally be developed by interdisciplinary teams of experts;

- SEA, EIA and appropriate assessment instruments are key instruments for ensuring knowledge-based prevention, mitigation and compensation of sector-specific impacts on Natura 2000 areas. These instruments need to be further enhanced with specific ecological knowledge and assessment criteria, for specific sectoral developments (e.g. sectoral guidelines);

- Early stakeholder participation and consultation in the spatial-planning process is a key factor for ensuring the quality and legitimacy of, and public support for spatial plans;

- The use of expert-based tools such as new GIS technologies can be effective in integrating Natura 2000 issues in the spatial planning process.

Incorporating Natura 2000 in spatial planning is a challenging process. Therefore continuing efforts should be made to raise the awareness of the role of spatial planning policy and its instruments in protecting and managing Natura 2000 areas. Sharing best practices across the Member states, utilizing the opportunities of the EU funding programmes and involving relevant actors and their knowledge are important steps forward in this process.