



Country Fiche on Terrestrial Spatial Planning

ESTONIA

Updated February 2018

1. Current situation and main challenges

Estonia adopted the new Planning Act, which came into force in 01.06.2015. The planning procedures concerning the plans initiated prior to that will be concluded in accordance to the previous law. However, all the new plans will be created in accordance to the new Act. It has been an intensive adaptation and learning process for both national and local governments.

The last decades have brought many changes. There are notable changes for example in our economy, technology, communication and lifestyle. There are changes also in our legal framework: some regulations initiated by EU, some by national government. This also puts a pressure on the field of planning. How do we make decisions about the use of space, what is the role of planning in this – those are the questions that need to be answered. The discussion about that is quite active and these questions are pondered by a special expert group created in the Government Office and also in wider circles.

As a result of the local elections in October 2017, a large merger of the municipalities across Estonia took place: instead of 213 only 79 local governments remain. Merged municipalities in their considerably wider borders inevitably have to draw up new comprehensive plans in the nearest years. This is also a legal requirement. The merger will probably add to the planning capacity of the municipalities.

There has been a decisive restructuring in the regional level in Estonia. Starting from 2018 the activities of the County Governments were terminated. Some functions were transferred to the ministries and other government agencies, and some were transferred to the municipalities, to fulfil those either autonomously or jointly. This calls for significant changes in the future planning system as a whole and in the distribution of the roles and responsibilities. As for first steps, the Ministry of Finance has to ensure the completion of all county-wide spatial plans and the harmonisation of the relevant action plans.

2. Contacts

Responsible authority at national level: **Estonian Ministry of Finance**, Suur-Ameerika 1, 10122, Tallinn

Contact person: **Mr Tiit Oidjärv**, Head of Spatial Planning Department

Telephone: +372 611 3151

E-mail: tiit.oidjarv@fin.ee

General information

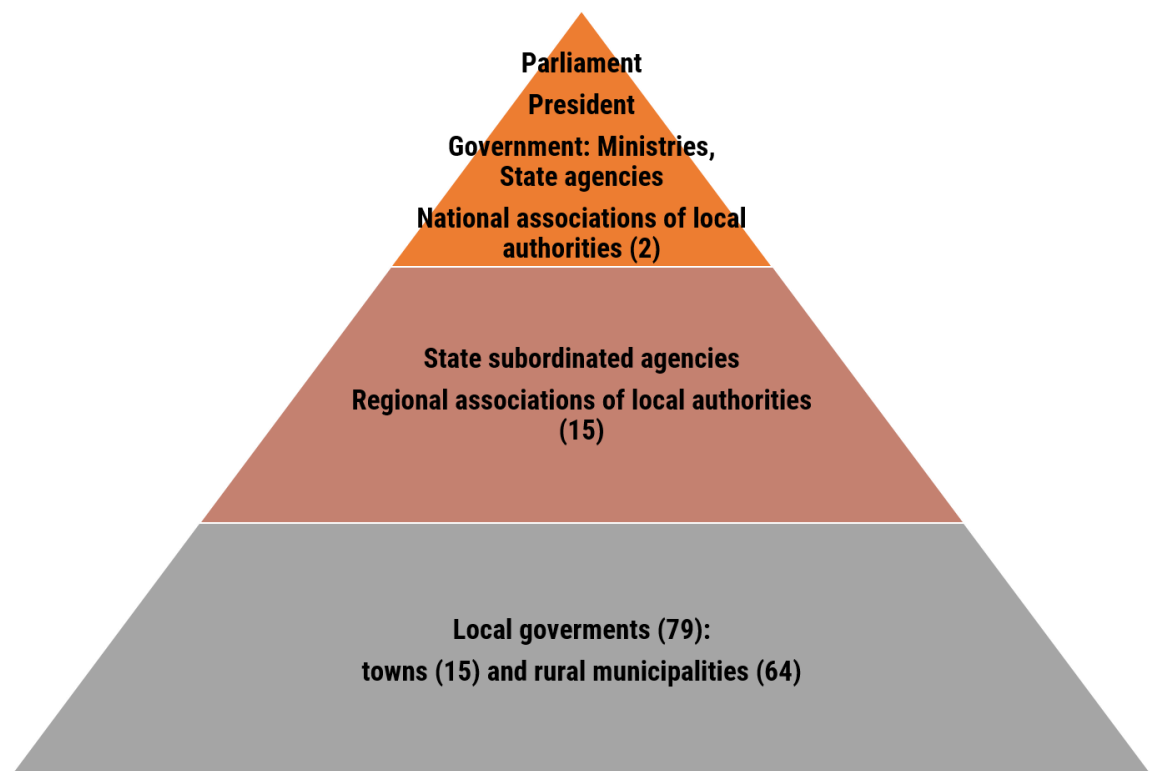
State administrative organisation in Estonia consists of the national governmental institutions and the local governmental institutions, which operate on different levels – national, regional or local. Depending on the specification of a particular plan, most of them could be involved in a planning process, as well as the relevant political bodies.

National administration consists of the Government of the Republic (supported by the Government Office), ministries and different government agencies. Those operate on the national level, but the ministries and the government agencies might have also regional offices and operate on regional level. Those regions are delineated and governed very differently, agency by agency. National governmental institutions have adopted some of the functions previously fulfilled by the County Governments (terminated from 2018), such as regional spatial

planning, land reform management, state supervision over local governments, schools, welfare agencies and libraries.

Local administrations are governing both urban and rural municipalities. Local administration operates on the local level, but there are also activities performed on the regional and national levels. The municipalities have adopted the following functions previously fulfilled by the County Governments: regional public transport, regional development, and regional health promotion. The municipalities have to exercise those activities jointly through the Regional Associations of the Local Governments, the Regional Entrepreneurship and Development Centres, Public Transport Centres or other forms of cooperation. The Association of Estonian Cities and Rural Municipalities is representing the local governments on national level.

A general structure of political and administrative system in Estonia



In general, the planning responsibilities in Estonia are divided between national and municipal levels. The authorities that carry out planning responsibilities are the Ministry of Finance, other relevant government agencies and local authorities. Starting from 01.01.2018, the activities of the state's regional administration (County Governments) were terminated and the regional planning responsibilities were transferred to the Ministry of Finance.

A national spatial plan (NSP) is prepared for the entire territory of Estonia. The aim of the NSP is to define the spatial development principles and directions for the whole country. The Ministry of Finance arranges the preparation of NSP. The plan is prepared in cooperation with ministries and national associations of local authorities.

The aim of **a national designated spatial plan (NDSP)** is to erect a building or an infrastructure, which has a significant spatial impact and a significant national or international interest. A NDSP is prepared, to express interests concerning issues of national defence and security, energy supply, transport of gas, waste management, which transcend the county borders. Also to express such interests in public water bodies and in the exclusive economic zone. The Ministry of Finance arranges the preparation of NDSPs. Where appropriate, the Government may decide, that the preparation of NDSPs concerning matters of national defence and security may

be arranged by the relevant government agency, mostly the Ministry of Defence or the Ministry of the Interior. Both the pre-selection of the location and the preparation of the detailed solution are carried out in cooperation with the relevant ministries and other government agencies.

The aim of a **county-wide spatial plan (CSP)** is to define the principles and directions of spatial development of the entire county or a part it, or of another region. A CSP is prepared primarily in order to express interests that transcend the boundaries of local authorities, in order to balance national and local spatial development needs and interests. The Ministry of Finance arranges the preparation of CSPs. The plans are prepared in cooperation with the ministries, local authorities within the planning area and the relevant government agencies.

The aim of a **comprehensive plan (CP)** is to define the spatial development principles and directions in the entire rural or urban municipality or in the part of the municipality. By agreement, a CP could be prepared for the territory of several municipalities. The local authority arranges the preparation of the CP. The plans are prepared in cooperation with the relevant government agencies and with the bordering local authorities.

A **local government designated spatial plan (LGDSP)** is prepared in order to erect a building or an infrastructure that has significant spatial impact, in case the location is not determined in the CP. The LGDSP is prepared on the territory of the respective municipality. The local authority arranges the preparation of LGDSP. Both the pre-selection of the location and the preparation of the detailed solution are carried out in cooperation with the relevant government agencies respectively.

The purpose of a **detailed spatial plan (DSP)** is to implement the comprehensive plan and to create a spatial solution for the planning area. The DSP forms the basis for issuing the building rights. The local authority arranges the preparation of the DSPs. The plans are prepared in cooperation with the relevant government agencies.

Spatial planning system

Estonian spatial planning system consists of the plans that are the national responsibility and the plans that are the responsibility of the municipalities. The spatial plans prepared by the national authorities are national spatial plan (and the respective thematic plan), national designated spatial plans, and county-wide spatial plans (and the respective thematic plans). The spatial plans prepared by the local authorities are comprehensive spatial plans (and the respective thematic plans), local government designated spatial plans, and detailed spatial plans.

A general structure of planning system in Estonia



The spatial planning system in Estonia is a hierarchical one: the more general plan always directs the preparation of the more detailed plan, and provides essential input into those. However, the system is not strictly one-directional: in justified and motivated cases, the more detailed plan may contain a proposal to modify the more general plan. Although this last one does not concern all types of plans.

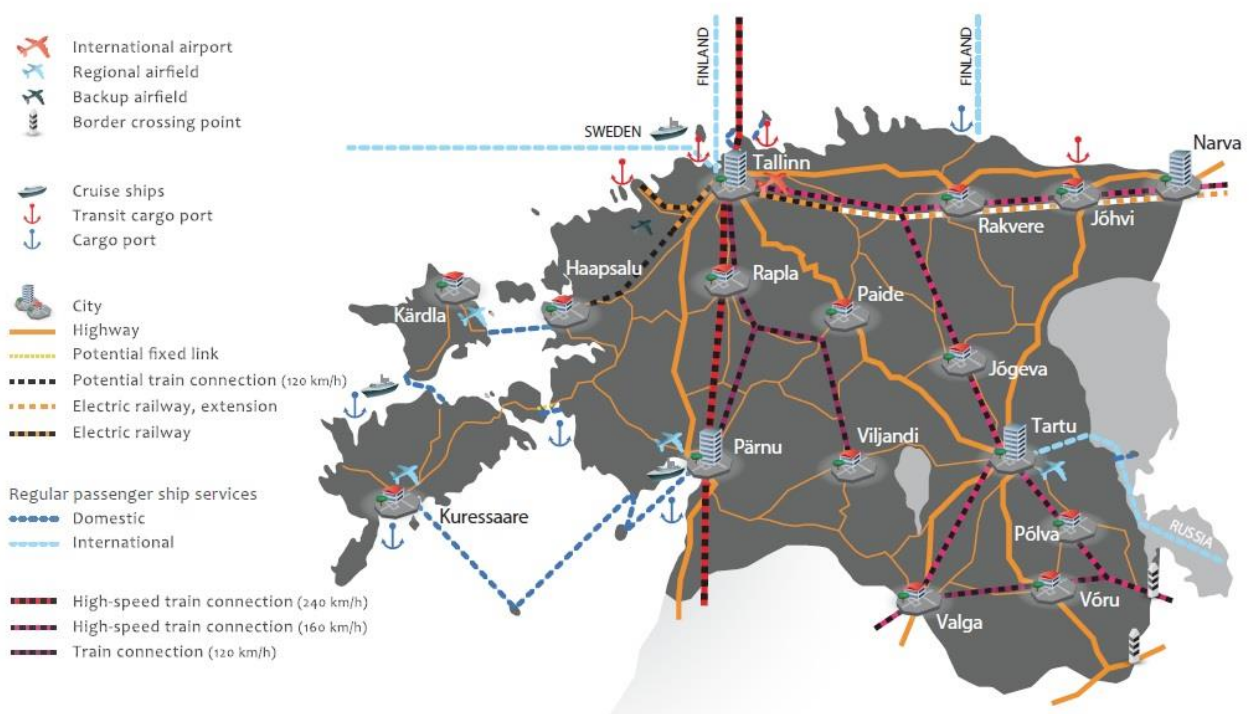
The aim of **the national spatial plan (NSP)** is to define the spatial development principles and directions for the whole country.

The functions of a NSP are:

1. determining the development principles and directions of the human settlement;
2. determining the development principles and directions of the national and international transport network;
3. determining the principles and directions of other infrastructure (incl. energy, gas, communications);
4. determining the general principles and exploitation directions of the ground below surface;
5. determining the preservation and supportive measures for valuable landscapes, valuable arable land and the green network.

The NSP forms the basis for the preparation of county-wide spatial plans, providing guidelines for the preparation of those plans.

An extract from NSP Estonia 2030+



A national designated spatial plan (NDSP) is used in case of the buildings or infrastructure objects with significant spatial impact and with significant national or international interest.

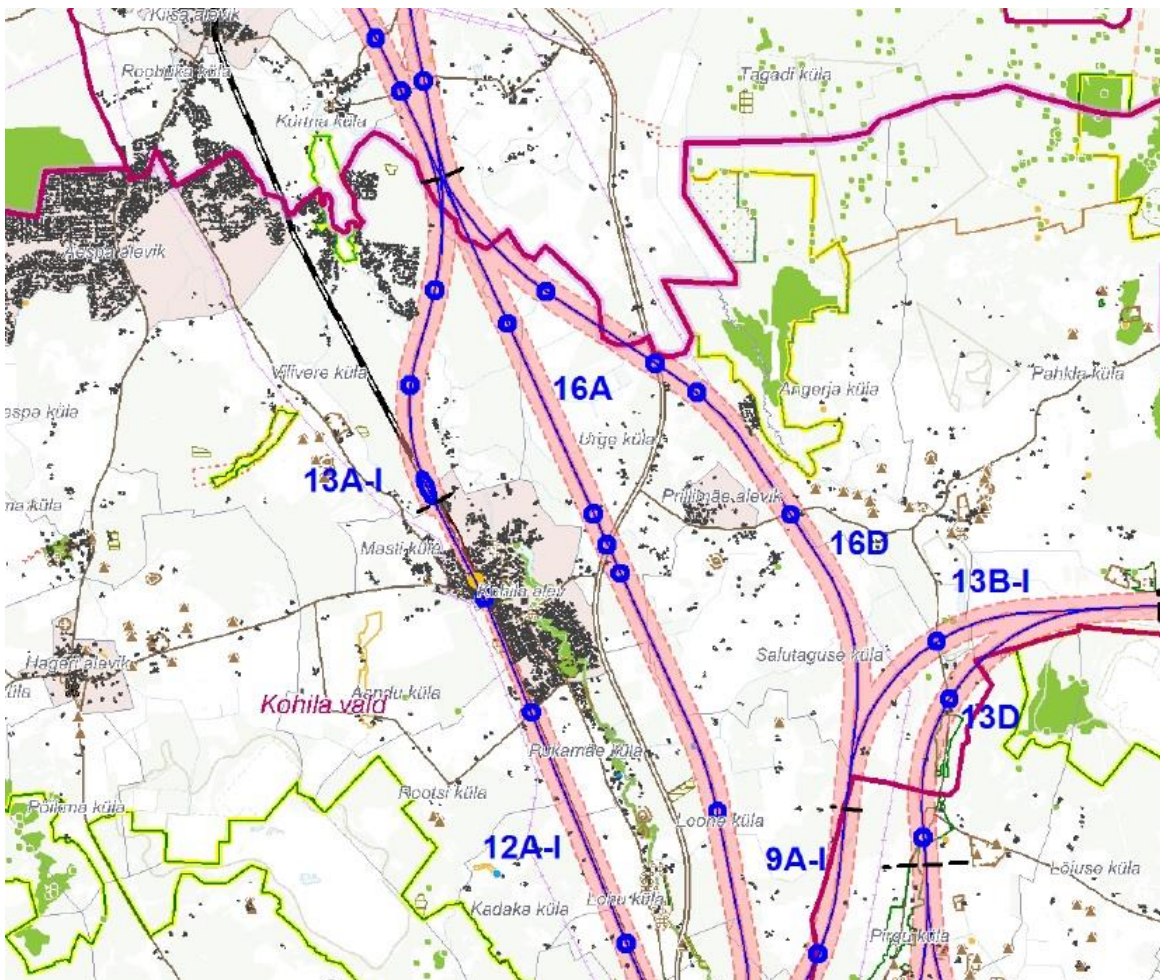
The preparation procedure of a NDSP is two-phased: pre-selecting a most suitable location and after that, preparing the detailed solution. The NDSP is the basis for the issuing of building design specifications. The NDSP expires within five years if its implementation has not started.

A position of the NDSP in the planning system

STRATEGIC DIRECTIONS IN SPATIAL DEVELOPMENT



An example of pre-selection process in NDSP (Rail Baltic)



The NDSP replaces all the relevant plans existing at the same location. The corresponding modifications are to be made to those plans.

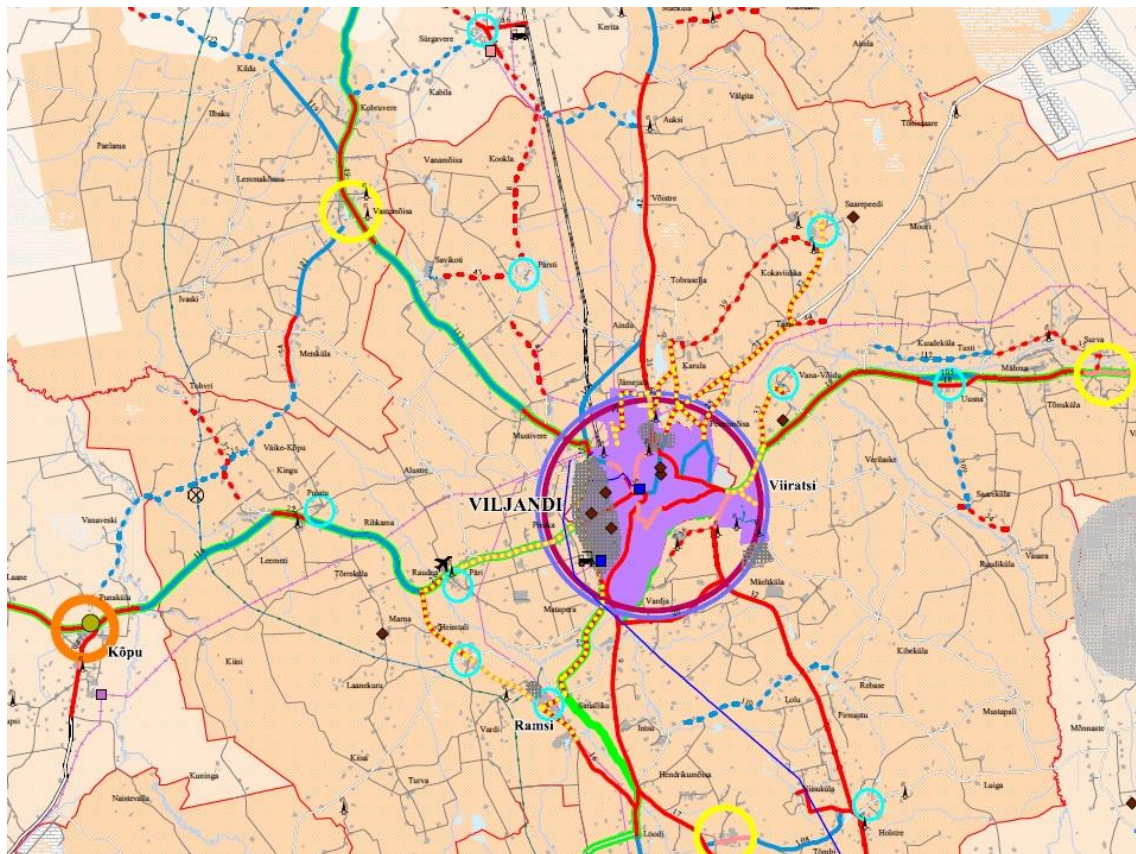
The aim of a **county-wide spatial plan** (CSP) is to define the principles and directions of spatial development on the regional level. In addition to balancing national and local spatial development needs, the CSP has to fulfil the functions that emanate from a national spatial plan.

The functions of the CSP are:

1. defining balanced and sustainable settlement;
2. determining the general locations of transport networks and other infrastructure;
3. determining waste treatment sites of regional importance;
4. defining principles for the use of public water bodies;
5. stating the conditions of use of mineral deposits and of areas affected by mining;
6. stating the conditions of use for the preservation of cultural heritage;
7. stating the conditions of use for the preservation of valuable agricultural land, landscapes and natural communities;
8. defining important leisure and recreation areas;
9. stating the conditions ensuring the functioning of the green network;
10. defining the location of areas serving national defence purposes.

The CSPs are the basis for the preparation of comprehensive plans, formulating directions for the preparation of those plans.

An extract from Viljandi CSP



The aim of a **comprehensive plan** (CP) is to define the spatial development principles and directions in the municipality. In addition to addressing the local spatial development needs, the CP has to take into account the county-wide spatial plan.

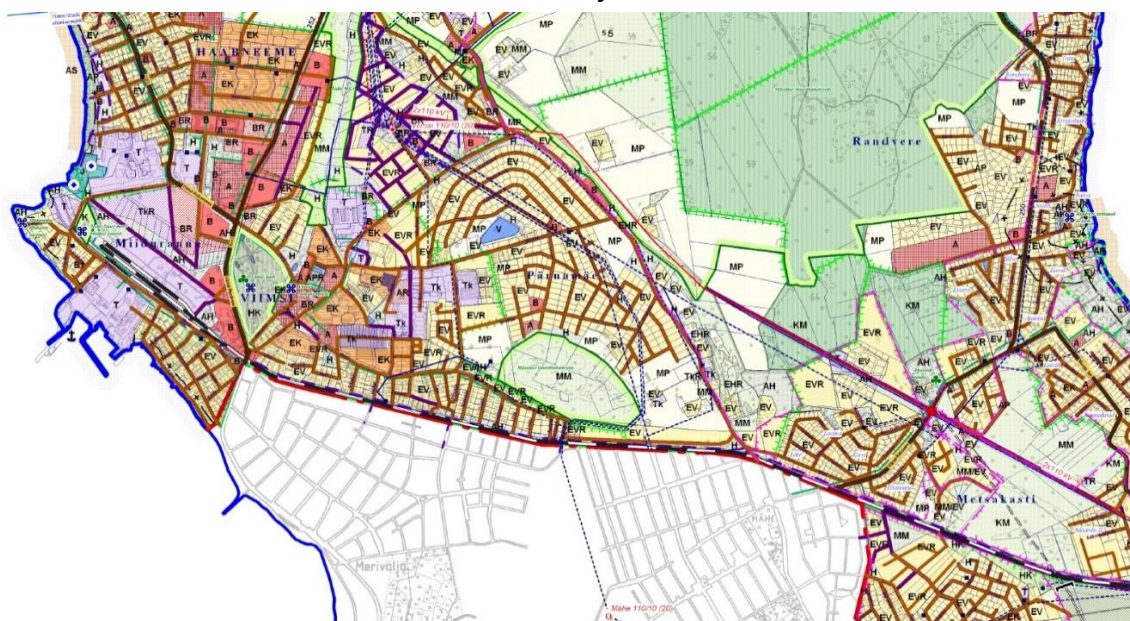
The functions of CP are:

1. determining the location of transport networks and other infrastructure;
2. determining the location of waste treatment sites of local importance and the restrictions;
3. determining the location of utility lines and the restrictions;
4. selecting the location of buildings and infrastructure of significant spatial impact;

5. determining the general building requirements in a public water body;
6. specifying the human settlement development conditions;
7. determining the bathing beaches;
8. expanding the protection zone of a street;
9. defining the boundaries of flood areas;
10. specifying the conditions and restrictions for green network;
11. stating the conditions of public access to the shore;
12. extending or reducing the building exclusion zone of the shore or bank;
13. designating natural objects of local protection;
14. designating valuable agricultural land, green areas, landscapes, individual features of landscapes and natural communities;
15. determining the restrictions for areas impacted by mineral deposits and mining;
16. designating culturally and environmentally value built-up areas or individual objects;
17. determining the preservation measures and conditions of use for locally significant cultural heritage;
18. determining the general use and building conditions;
19. defining and specifying the boundaries of national defence areas;
20. determining the location of leisure and recreation areas and the restrictions;
21. defining the categories of standard noise levels;
22. defining the general principles of traffic arrangements;
23. determining the minimum size of plots;
24. designating areas or the instances where and when the preparation of a detailed plan is mandatory;
25. designating densely populated areas;
26. determining the location of land improvement systems and the restrictions;
27. determining the location of water catchments with sanitary protection zones and the restrictions;
28. etc.

CPs are the basis for the preparation of local government designated spatial plans and detailed spatial plans and, in cases where the preparation of a detailed spatial plan is not mandatory, for the issuing of building design specifications. If necessary and justified, the CP may contain a proposal to modify the county-wide spatial plan.

An extract from Viimsi CP



A local government designated spatial plan (LGDSP) is used in case of the buildings or infrastructure objects with significant spatial impact. The buildings and the infrastructure objects considered are listed in the regulation adopted by the Government.

The preparation procedure of a LGDSP is two-phased: pre-selecting a most suitable location and after that, preparing the detailed solution. The LGDSP is the basis for the issuing of building design specifications. The LGDSP expires within five years if its implementation has not started.

A position of the LGDSP in the planning system



The location, selected in the preparation process of the LGDSP is entered into the earlier adopted comprehensive plan. The LGDSP replaces all the previously adopted LGDSPs and detailed spatial plans existing at the same location. The corresponding modifications are to be made. If necessary and justified, the LGDSP may contain a proposal to modify the county-wide spatial plan.

The purpose of **the detailed spatial plan (DSP)** is to implement the comprehensive plan and to create an inclusive spatial solution for the planning area. Where a DSP exists or where the preparation of a DSP is mandatory, the plan is the basis for the issuing of building design specifications.

The functions of the DSP are:

1. dividing the area into plots, defining the buildable area of the plot;
2. determining the building rights on the plots;
3. determining the location of any construction works necessary for the functioning of buildings and civil engineering works;
4. determining the requirements for the building of the envisaged construction works;
5. determining the requirements concerning the architectural solution and appearance;
6. determining the principles of traffic arrangements;
7. determining the principles for planting vegetation and street-side maintenance;
8. determining the relevant clearances, ensuring public access to shore;
9. establishing conditions to reduce the risk of crime;
10. establishing the requirements for levels of noise, vibration, pollution risk and insolation, and other environmental parameters;
11. determining the location of land improvement systems and the restrictions;
12. assigning local protection to natural objects and determining the protection zones,

13. defining culturally and environmentally valuable built-up areas and individual objects and to areas of arable land, and determining the protection conditions (if not provided in comprehensive plan);
14. reducing the building exclusion zone of shores and banks;
15. stating the need for the servitudes and designation of existing or envisaged roads as public roads;
16. determining areas and instances where architecture competition is required;
17. etc.

If necessary and justified, the DSP may include a proposal to alter the adopted comprehensive plan.