

# Detailed plan procedure if the detailed plan alters the comprehensive plan and a strategic environmental assessment is conducted

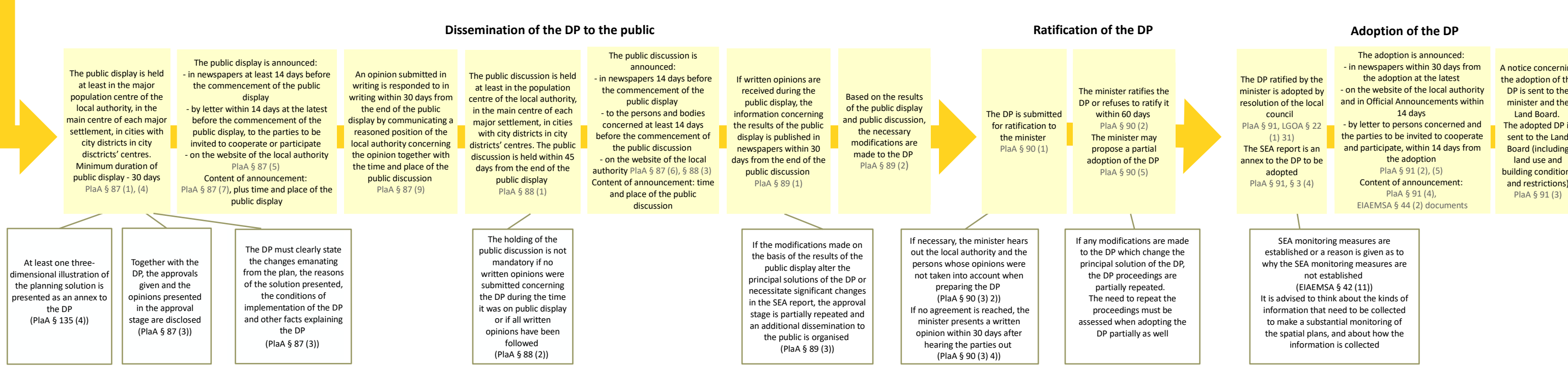
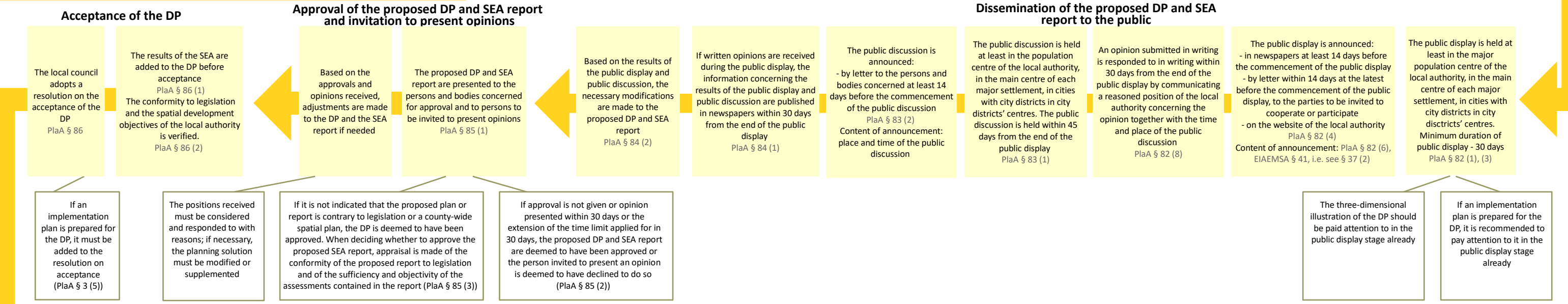
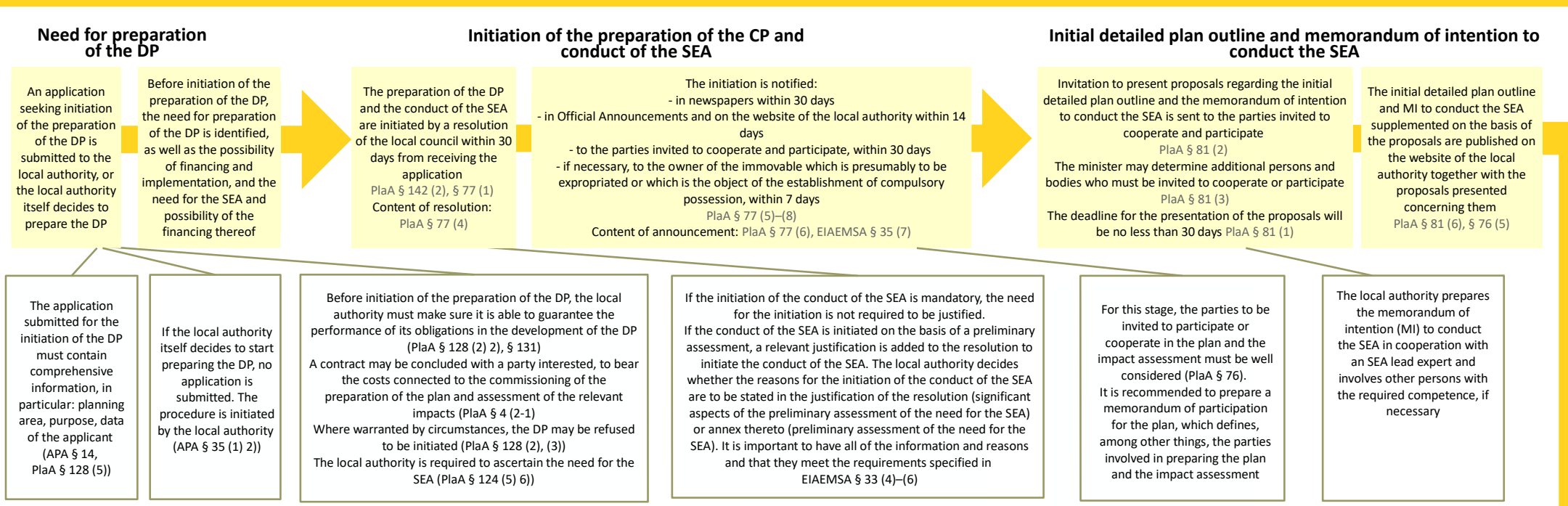
Where this is warranted by the circumstances, the detailed plan may include a proposal to alter the principal solutions of the adopted comprehensive plan (PlaA § 142 (1)). The detailed plan forms the basis for the building work conducted in the near future, including the building design documentation.

**Please note**

- The procedures related to SEA are subject to the procedural requirements arising from the PlaA and the content requirements arising from the EIAEMSA (PlaA § 4).
- If the DP alters the CP and an SEA is conducted, the proceedings of the DP and the SEA are subject to the requirements established in respect of the proceedings concerning CP (PlaA § 142 (3)), i.e. both the proceedings prescribed for the CP must be followed and the invitation to cooperate and participate is organised according to the procedure prescribed for the preparation of the CP.
- The local authority as the authority arranging the preparation of the plan is obligated to ensure that the DP is prepared by a planner with the required competence (PlaA § 4 (5)–(6), § 6 (11)) and the conduct of the SEA is supervised by a lead expert who meets the requirements (PlaA § 4 (5); EIAEMSA § 34)). If a local authority employee is competent enough, the employee is allowed to perform one or both roles.
- Throughout the DP preparation process, any information related to the plan is published on the local authority's website on an ongoing basis (PlaA § 76 (5)).
- The term for proceedings may be extended if there is a justifiable need (APA § 41).
- If modifications are made when preparing the DP, it must be assessed whether the modifications constitute a modification of the principal solution. If so, a decision must be made on how far to go back in the proceedings (e.g. whether it is necessary to seek new approval or an opinion on the modification from the person or body concerned, whether a new public display and public discussion are required).
- In preparing the DP, the relevant social, economic, cultural and natural environment impacts must be assessed, and the SEA conducted (impact assessments may be combined, more information in the guidelines "Nõuandeid üldplaneeringu koostamiseks", in Chapter 6).

**Abbreviations**  
 DP – detailed plan; CP – comprehensive plan; SEA – strategic environmental assessment; PlaA – Planning Act; EIAEMSA – Environmental Impact Assessment and Environmental Management System Act; APA – Administrative Procedure Act; LGOA – Local Government Organisation Act; MI – memorandum of intention.

**This diagram is informative only and has no legal significance**  
 The diagram is based on the PlaA and the EIAEMSA as of 1 May 2019.  
 The diagram has been prepared by the Spatial Planning Department of the Ministry of Finance as of 1 December 2020.



**Additional conditions and notes:**

- If an implementation plan is prepared for the DP, it must be added to the resolution on acceptance (PlaA § 3 (5))
- The positions received must be considered and responded to with reasons; if necessary, the planning solution must be modified or supplemented
- If it is not indicated that the proposed plan or report is contrary to legislation or a county-wide spatial plan, the DP is deemed to have been approved. When deciding whether to approve the proposed SEA report, appraisal is made of the conformity of the proposed report to legislation and of the sufficiency and objectivity of the assessments contained in the report (PlaA § 85 (3))
- If approval is not given or opinion presented within 30 days or the extension of the time limit applied for in 30 days, the proposed DP and SEA report are deemed to have been approved or the person invited to present an opinion is deemed to have declined to do so (PlaA § 85 (2))
- The three-dimensional illustration of the DP should be paid attention to in the public display stage already
- If an implementation plan is prepared for the DP, it is recommended to pay attention to it in the public display stage already
- At least one three-dimensional illustration of the planning solution is presented as an annex to the DP (PlaA § 135 (4))
- Together with the DP, the approvals given and the opinions presented in the approval stage are disclosed (PlaA § 87 (3))
- The DP must clearly state the changes emanating from the plan, the reasons of the solution presented, the conditions of implementation of the DP and other facts explaining the DP (PlaA § 87 (3))
- The holding of the public discussion is not mandatory if no written opinions were submitted concerning the DP during the time it was on public display or if all written opinions have been followed (PlaA § 88 (2))
- If the modifications made on the basis of the results of the public display alter the principal solutions of the DP or necessitate significant changes in the SEA report, the approval stage is partially repeated and an additional dissemination to the public is organised (PlaA § 89 (3))
- If necessary, the minister hears out the local authority and the persons whose opinions were not taken into account when preparing the DP (PlaA § 90 (3) 2))
- If no agreement is reached, the minister presents a written opinion within 30 days after hearing the parties out (PlaA § 90 (3) 4))
- If any modifications are made to the DP which change the principal solution of the DP, the DP proceedings are partially repeated. The need to repeat the proceedings must be assessed when adopting the DP partially as well
- SEA monitoring measures are established or a reason is given as to why the SEA monitoring measures are not established (EIAEMSA § 42 (11))
- It is advised to think about the kinds of information that need to be collected to make a substantial monitoring of the spatial plans, and about how the information is collected