



SPATIAL AND REGIONAL PLANNING

Lecture 4. Spatial policy system in Poland

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Erasmus+

PLANNING DOCUMENTS IN POLAND:

Country:

Concept for Spatial Development of the Country;

Periodic reports on current spatial development of the country;

Governmental programmes for country-wide impact public purpose investments.

Voivodeship (Województwo):

Strategy for voivodeship development

Voivodeship Spatial Development Plan (not an act in local law)

Metropolitan Spatial Development Plan (part of Voivodeship spatial development plan)

Powiat (Powiat): No spatial planning documents, only studies and analyses

Commune (Gmina):

- Commune Development Strategy (not obligatory)
- Study of conditions and directions of spatial development for the commune, or “commune study” (not an act of local law)
- Local spatial development plan, or “local plan” (**an act of local law**)
- Decision on development conditions and land development
- Decision on location of a public purpose investment
- Decision on development conditions for investments other than public purpose

Key regulations in spatial planning

Act on spatial planning and land development (Ustawa o planowaniu i zagospodarowaniu przestrzennym)

of 27 March 2003 (uniform text: Journal of Laws 2003 No 80 item 717) as amended

Art. 1. The Act specifies:

- 1) the principles of spatial policy by local government entities and government authorities;
 - 2) the scope and procedures in matters related to assigning intended use for land and stipulating the manner of development – by adopting the **spatial governance and sustainable development** as the basis for these activities.
2. In the planning and spatial development the following is taken into account in particular:
- 1) spatial order requirements, including urban planning and architecture;
 - 2) architectural and landscape qualities ;
 - 3) environmental requirements, including water management and the protection of agricultural land and forestry;
 - 4) requirements for the protection of cultural heritage and historical monuments and contemporary cultural goods;
 - 5) requirements of health protection and safety of people and property, as well as the needs of persons with disabilities;
 - 6) characteristic features of the economic space;
 - 7) ownership;
 - 8) defence and security needs of the State;
 - 9) needs of public interest;
 - 10) requirements related to the development of technical infrastructure, particularly broadband networks.

Act on spatial planning and land development

of 27 March 2003 (Journal of Laws 2003 No 80 item 717) as amended

Some of the notions

“**spatial order**” - should be understood as such formation of space that creates a harmonious whole and takes into account orderly interrelations between all conditions and functional requirements, socio-economic, environmental, cultural and composition-aesthetic features;

“**goods of contemporary culture**” - should be understood as cultural goods other than listed historical sites, such as monuments, memorial places, buildings, their interiors and details, ensembles of buildings, urban design and landscape projects, which are recognized as the achievement of the presently living generations, if they are characterized by high artistic or historical value; **(usually under SARP register)**

“standards” - should be understood as sets and scopes of requirements concerning studies and planning documents as well as principles for application of parameters concerning spatial development;

“urban planning parameters and indicators” - the parameters and indicators stipulated in planning documents

National level planning

CONCEPT for SPATIAL DEVELOPMENT OF THE COUNTRY

Art. 3. 4. The formulation and implementation of the state's spatial policy, as it is expressed in in the concept for spatial development of the country, is the responsibility of the Council of Ministers.

Art. 47. 1. The Minister relevant in matters related to regional development, in consideration of the aims set forth in the state's strategic documents:

1) prepares the concept for spatial development of the country, which takes into account sustainable development of the country based on natural, cultural, social and economic conditions, specified elsewhere, and cooperates internationally in this scope;

2. The concept for spatial development of the country defines the conditions, aims and directions of sustainable development of the country and defines the activities that are necessary to obtain them, in particular:

1) the key elements of the country's settlement network, with metropolitan areas delineated;

2) natural environment and historical sites protection, with protected areas delineated;

3) location of social infrastructure of international or national significance;

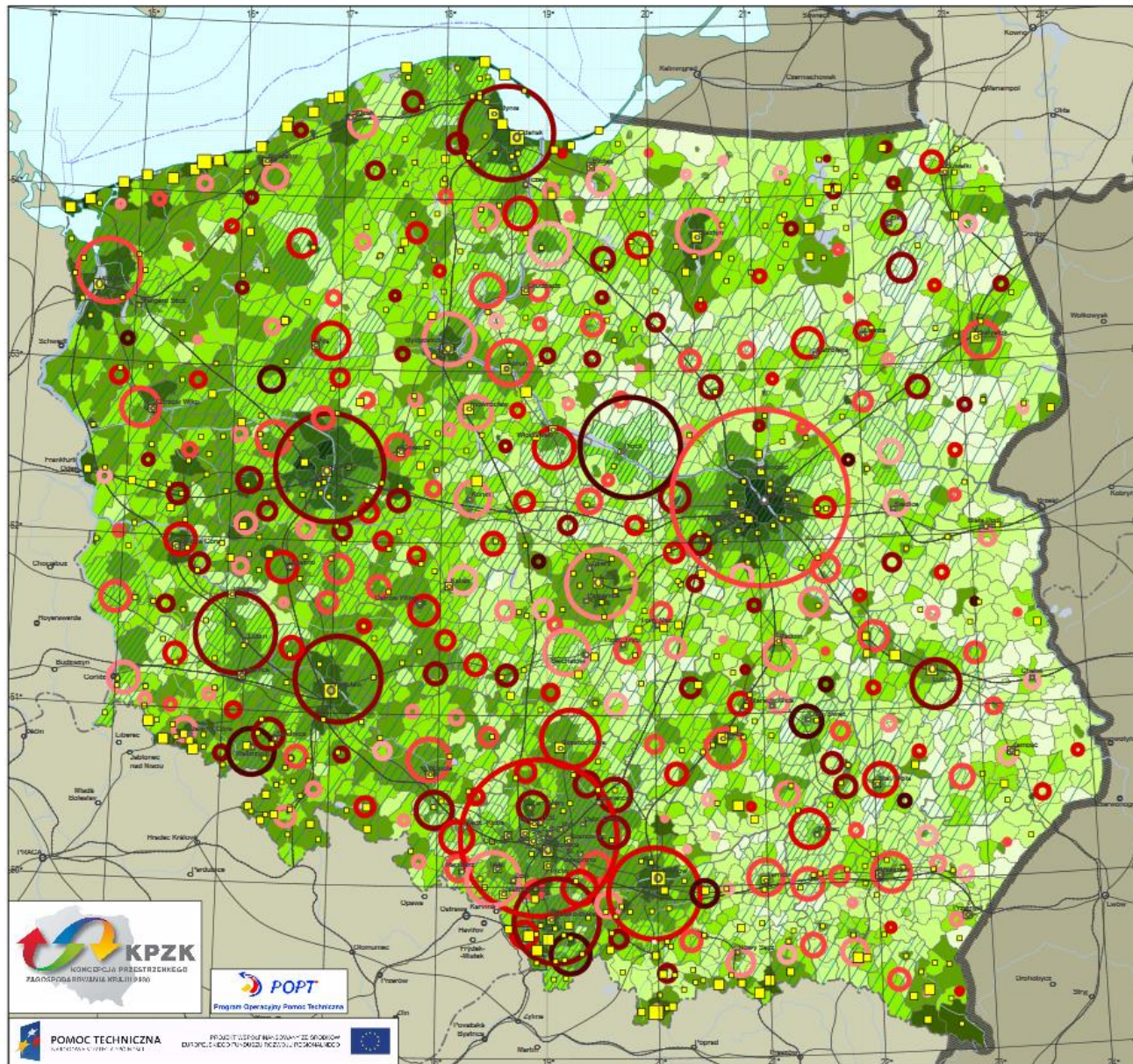
4) location of technical and transport infrastructure, strategic water resources and water management facilities of national and international significance;

5) problematic areas of national importance, including areas of hazard, which require specific studies and plans.

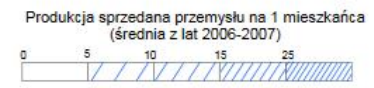
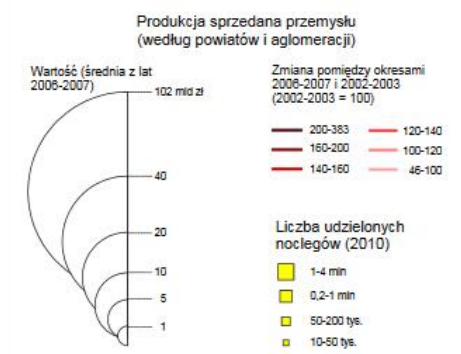
3. The Council of Ministers adopts the concept for spatial development of the country and periodic reports on the current spatial development of the country.

4. The Prime Minister presents the Sejm of the Republic of Poland with the concept for spatial development of the country as well as the periodic reports on current spatial development of the country.

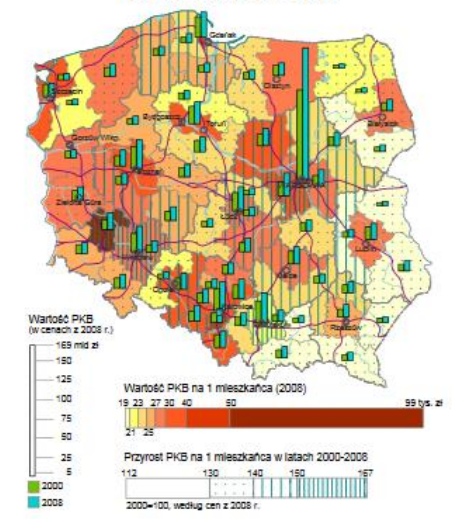
Concept for Spatial Development of the Country 2030



**MAPA 7
STRUKTURA GOSPODARCZA**



Produkt Krajowy Brutto



KPZK
KONCEPCJA PRZESTRZENNEGO ZAGOSPODAROWANIA KRAJU

POPT
Program Operacyjny Pomoc Techniczna

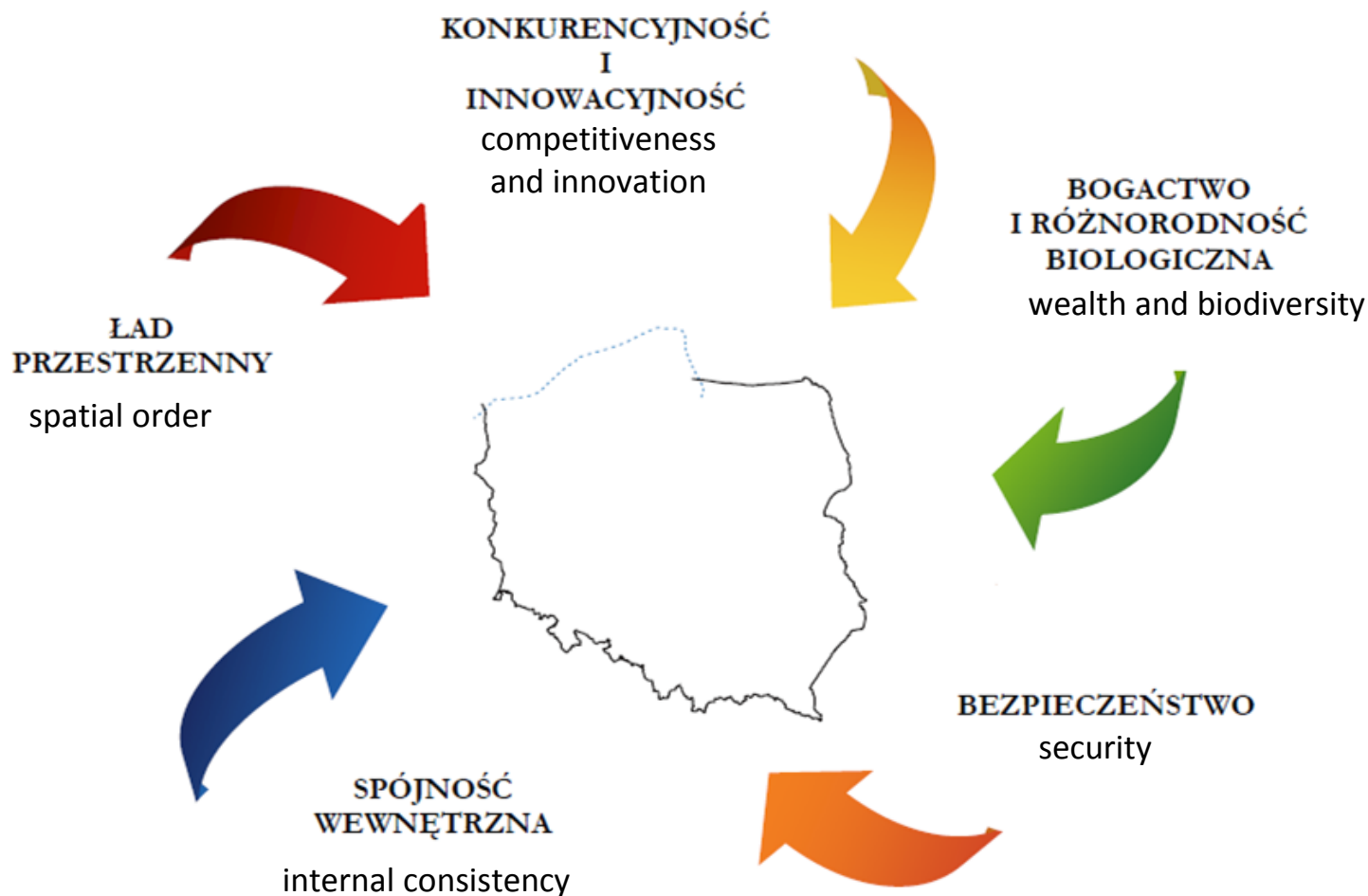
POMOC TECHNICZNA
INSTRUMENT FINANSOWY

PROJEKT WSPÓLFINANSOWANY ZE ŚRODKÓW EUROPEJSKIEGO FUNDUSZU ROZWOJU REGIONALNEGO

Opracowano w Instytucie Geografii i Przestrzennego Zagospodarowania PAN pod kierunkiem P. Śleszyńskiego dla Ministerstwa Rozwoju Regionalnego

Ideogram KPZK

The main features of Polish space 2030



Regional level planning

SPATIAL DEVELOPMENT PLAN FOR VOIVODESHIP

Art. 3.3 The formulation and implementation of a voivodeship spatial policy, including adoption of a Voivodeship spatial development plan, is the responsibility of the voivodeship's local government.

Art. 39.

1. The Voivodeship Assembly adopts a resolution on commencement of work on the voivodeship spatial development plan .
2. A voivodeship spatial development plan is prepared for the area within the administrative borders of the relevant voivodeship.
3. A voivodeship spatial development plan **takes into consideration the assumptions of the voivodeship development strategy** and defines in particular:
 - 1) the key elements of the settlement network in the voivodeship and the infrastructural and transportation interconnections between them, including cross-border connections;
 - 2) the system of protected areas, including natural environment and cultural landscape, protection of health recreation facilities and cultural heritage and historical monuments and contemporary goods of culture;**
 - 3) **location of public purpose investments** of supra-local significance;
 - 4) problematic areas with principles of management and metropolitan areas ...;
4. A voivodeship spatial development plan **takes into consideration the stipulations of the relevant concept for spatial development of the country.**

Regional level planning

VOIVODESHIP SPATIAL DEVELOPMENT PLAN

Art. 42. 1. A voivodeship spatial development plan is adopted by resolution of a voivodeship assembly .

Art. 41. 1. After the voivodeship assembly adopts a resolution on commencement of work on voivodeship spatial development plan, the Voivodeship Marshal does the following (in the order as below):

- 1) announces in nation-wide press and by posting announcements in local authorities offices: commune, powiat, Marshal's office and voivodeship office informing of the fact that the resolution was adopted and the work on the spatial development plan has commenced, defining the form, place and timelines for submitting any motions concerning the plan; the deadline for motions cannot be shorter than 3 months after the announcement;
- 2) notifies the r institutions and organizations relevant to participate in consulting the plan about the the resolution and commencement of works;
- 4) **prepares a draft voivodeship spatial development plan, which includes natural environment impact analysis;**
- 5) consults the draft plan with the relevant voivodeship urban planning and architectural committee;
- 6) consults the draft plan with the relevant institutions and organizations, as well as the voivode authority, powiat, commune, town and city authorities in the voivodeship, as well as the governmental and local government bodies and entities of the adjacent territories
- 7) presents the draft plan to the relevant building industry, residential and spatial development minister to confirm that the plan is compliant with the concept for the spatial development of the country and government level programmes,
- 8) presents the draft plan to the voivodeship assembly for adoption.

DRAFT PLANS ARE SUBJECT TO CONSULTATION.

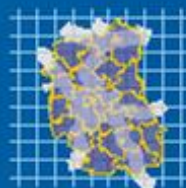
Art. 20. Drafts and amendments to voivodeship spatial development plans are subject to consultation with the voivodeship conservator of historical sites as far as shaping the architectural development and land management are concerned (amendment of 2010).



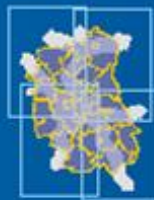
PLAN ZAGOSPODAROWANIA PRZESTRZENNEGO WOJEWÓDZTWA LUBELSKIEGO



TOM I UWARUNKOWANIA ZEWNĘTRZNE I WEWNĘTRZNE



TOM II KIERUNKI POLITYKI PRZESTRZENNEJ



TOM III KIERUNKI POLITYKI PRZESTRZENNEJ – MAPA W SKALI 1:200 000

DECENTRALIZING THE POLISH DECISION-MAKING SYSTEM

One characteristic feature of Polish spatial planning is the fact that the key documents governing the spatial development at the commune (gmina) level are:

- a “study of spatial development conditions and directions for a commune”, which is an act of law obligating a commune government’s executive body (village mayor, town/city mayor), and
- a “local spatial development plan“ , which is a generally obligatory act of law.

Local law is, apart from general law (acts), the most important tool in cultural heritage protection.

Due to decentralization and increasing range of local governments’ responsibilities on all levels, these authorities are also obliged to establish legal measures to protect historical monuments, heritage and **cultural landscape**.

Local level planning

STUDY OF SPATIAL DEVELOPMENT CONDITIONS AND DIRECTIONS FOR A COMMUNE

Art. 9. 1. In order to define a commune's spatial development policy, this including **local principles of spatial development**, a commune council adopts a resolution on commencement of work on a study of spatial development conditions and directions for such commune, hereinafter the "study".

2. The study, comprising a text and a graphic part, is prepared by the village/town/city mayor.
3. The study concerns the area within the administrative territory of the respective commune.
4. The guidelines defined by the study are obligatory for commune bodies when preparing local spatial development plans.

5. SUCH STUDIES ARE NOT DEEMED AN ACT OF LOCAL LAW

Art. 10. 1. The study takes into account the conditions related predominantly to:

- 1) the thus-far designated function, manner and nature of development in the relevant area;
- 2) **the present spatial order and requirements related to its protection;**
- 3) **the present state of natural environment, including the agricultural and forestry production areas, the size and quality of of water resources and environmental protection, landscape and cultural landscape requirements;**
- 4) **the present condition of the cultural heritage and historical monuments as well as contemporary cultural goods;**

8) the areas that are subject to obligatory spatial development planning based on separate provisions, this including areas requiring land consolidation and division of land...and public spaces;

2. The study defines in particular:

- 1) the directions of changes in the commune's spatial structure and designated functions of its areas;
- 3) **natural environment and natural environment resources protection, protection of landscape, cultural landscape and health recreational facilities;**
- 4) **areas and principles for protection of cultural heritage and historical monuments, of historical sites and contemporary goods of culture;**

Local level planning

STUDY OF SPATIAL DEVELOPMENT CONDITIONS AND DIRECTIONS FOR A COMMUNE

PROCEDURE FOR PREPARATION

Art. 11.

The village/town/city mayor, after the commune council adopts a resolution on commencing the work on spatial development study, does the following (in the order as below):

- 1) announces in the local press and by posted announcements and in any other customary manner that the resolution of commencing work on the study has been adopted, defining the form, place and deadline for submitting motions regarding the study, where the deadline cannot be shorter than **21 days after** the announcement;
- 2) notifies the relevant institutions and organizations about the resolution so that they can consult the draft study;
- 4) prepares the a draft study, reviewing the motions mentioned in point 1 above, in consideration of the voivodeship spatial development plan; if there is not voivodeship spatial development plan in force, or the voivodeship spatial development plan does not include central government level tasks, the draft study should take into account the guidelines set by the programmes mentioned in Art. 48. 1;
- 5) obtains approval of the commune or other relevant urban planning and architectural committee;

Local level planning

STUDY OF SPATIAL DEVELOPMENT CONDITIONS AND DIRECTIONS FOR A COMMUNE

TEXT + MAPS

A spatial development study for commune must comprise two main parts:

- **definition of the present** (i.e. existing at the time when the study is being prepared) functional and spatial conditions in the form of a critique of the present state of affairs, most often a prospective diagnosis, taking into account the past trends and dynamics of changes in the functional and spatial structures of the area. This includes cultural heritage and historical monuments: identification of the resources, state of preservation and threats .
- **definition of the future activities** to be undertaken in the development of the commune (defining the aims and modifications to the existing functional and spatial structures, along with proposed spatial planning tools to be used), this including the directions in protection and functions of the cultural heritage and historical sites in that area.

The study defines areas which are to be covered by local spatial development plans by the commune council.

Such commune studies as they are now are often found formally defective due to changes in law or in affect of infringements. At present, no legal regulations impose verification of such studies in their formal/legal aspect.

References:

- Act on Spatial Planning and Land Development of 27 March 2003 (Ustawa o planowaniu i zagospodarowaniu przestrzennym z dnia 27 marca 2003 r. (tekst jednolity: Dz.U. 2003 nr 80 poz. 717).
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