



Country Fiche on Terrestrial Spatial Planning

POLAND

Updated February 2018

1. Current situation and main challenges

Spatial policy in Poland (excluding maritime spatial planning) is regulated by the Act of 27 March 2003 on spatial planning and development with several amendments, as well as by number of other regulations, enclosed in over 100 legal acts.

State administrative organisation in terms of spatial planning is divided into 3 levels: national, regional and local, with respective documents. The documents are binding for the lower level, but there is no instant update of a lower level document required after a higher level document amendment. The range of binding regulations of regional spatial development plan remains unclear.

The primary basis for obtaining a building permit are local spatial development plans, presently covering about 30,2% of the country, adopted in accordance with the land use plan. With the end of the year 2003 all local spatial development plans adopted earlier than on 1st January 1995 were abolished. In areas without spatial development plans, individual terms of construction are required to obtain a building permit. The carrying out of most infrastructural public investments (including public roads and utilities) is regulated in *lex specialis* laws, overruling local spatial planning documents.

The key problems of functioning of the spatial planning system are:

- 1) ineffective spatial policy at all levels of planning, including inadequate coverage of local spatial development plans and insufficient control over unwanted suburbanisation and, resulting from it, increasing costs of transportation and other technical and social infrastructure,
- 2) lack of stability and efficiency of the investment and construction process in areas without spatial development plans – lack of compatibility between terms of construction and land use plan, resulting in lack of safety of investment and spatial conflicts,
- 3) impeded carrying out of public investments excluded from *lex specialis* procedures, as a result of inadequate coverage of local spatial development plans and insufficient coordination between the consecutive levels of planning.

The solution to the diagnosed problems is being addressed by 2 new draft laws in responsibility of Minister of Investment and Economic Development:

- 1) law on amendment of regulations for simplifying of investment and construction process, including the most urgent changes to the Act on spatial planning and development and to the Construction Code,
- 2) Construction and Spatial Planning Code, as the final regulation aiming to achieve coherent spatial planning and investment system.

2. Contacts

Responsible authority at national level: Ministry of Investment and Economic Development

Contact person: Małgorzata Peters

Telephone: +48 22 5225619

E-mail: malgorzata.peters@mib.gov.pl

Optional items to be filed in:

General information

Planning responsibilities:

Level of administration	Institution / Entity	Planning responsibilities
national	Minister of Investment and Economic Development	elaboration of the national spatial development concept
regional	Voivodeship marshal (self-government)	elaboration of 1) regional spatial development plan 2) landscape audit
	Metropolitan area (self-government)	elaboration of land use plan for the metropolitan area
local	Municipality (self-government)	elaboration of: 1) land use plan 2) local spatial development plan 3) resolution on the rules of placing advertisement

Spatial planning system

Level of administration	Spatial planning act	Remarks
national	National spatial development concept (koncepcja przestrzennego zagospodarowania kraju)	obligatory, adopted in 2011, basis for the main directions of development of the country (coherent with national long-term development strategy), binding for regional spatial development plan
regional	Regional development plan (plan zagospodarowania przestrzennego województwa)	obligatory, basis for the directions of regional infrastructure development (coherent with regional development strategy), binding for land use plan
	Land use plan for the metropolitan area (ramowe studium uwarunkowań i kierunków zagospodarowania przestrzennego obszaru metropolitalnego)	obligatory, basis for the directions of sub-regional infrastructure development and protection of the environment, binding for land use plan
	Landscape audit (audyt krajobrazowy)	obligatory, basis for identification of protection requirements of priority landscapes, binding for regional spatial development plan and land use plan
local	Land use plan (studium uwarunkowań i kierunków zagospodarowania przestrzennego)	obligatory, binding for local spatial development plan
	Local development plan (miejscowy plan zagospodarowania przestrzennego)	basis for building permit, obligatory only for specific areas or types of objects (including. wind farms or large retail centres), otherwise discretionary (in areas without spatial development plans - individual terms of construction required to obtain a building permit)
	resolution on the rules of placing advertisement (uchwała w sprawie lokalizacji reklam, obiektów małej architektury i ogrodzeń)	discretionary, basis for rules of placing advertisement and street furniture in public spaces, when adopted - allows taxation of advertisement (based on separate resolution)