



Country Fiche on Terrestrial Spatial Planning

POLAND

Updated March 2024

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 should be taken into account at the lower level, but there is no requirement to immediately update of a lower level document when a higher level document changed.

The primary basis for obtaining a building permit are local spatial development plans, presently covering about 32.25% 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. A decision on a building permit is issued if the local development plan allows the development, and in the absence of a local plan, a decision on terms of building and land development must be issued before the building permit is issued. Most public infrastructure investments (including public roads and utilities) are carried out on the basis of *lex specialis* laws, bypassing 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 local spatial development plans – lack of compatibility between terms of building and land development and “study of spatial conditions and development”, resulting in lack of safety of investment and spatial conflicts,
- 3) impeded carrying out of public investments, which are finally excluded from the spatial planning system by *lex specialis* procedures, as a result of inadequate coverage of local spatial development plans and insufficient coordination between the consecutive levels of planning,
- 4) coexisting of two planning systems: spatial planning system and strategic planning system. These two systems functioned side by side with little interaction, sometimes introducing conflicting solutions.

The partial solution to the diagnosed problems is latest amendment to the Act of 27 March 2003 on spatial planning and development. This is the first stage of the reform of the spatial planning system and concerns the local level. The new regulations are in force from 24 September 2023 and will be finally implemented by the end of 2025. The new act on spatial planning:

- 1) introduced first stage of integrations of planning systems: a requirement for all municipalities to prepare and adopt a local strategy of the municipality and withdrawal of “study of spatial conditions and development”; the local strategy of municipality should be taken into account during the preparation of general plan of municipality;
- 2) introduced a requirement for all municipalities to prepare and adopt general plans of municipality, which are local law, which lay down the general principles of land development and bind both local plans and decisions on terms of building and land development;
- 3) introduced a new form of local plan that will enable agreement in the form of negotiations on the participation municipalities and investors in the financing or building social or technical infrastructure in the construction of new housing estates or other investments; in this way, new investments will be properly equipped with the required infrastructure;

- 4) defined new rules in which stakeholders may participate in the drafting of strategies, general plans in municipalities and local area plans.

2. Contacts

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Optional items to be filed in:

General information

Planning responsibilities:

Level of administration	Institution / Entity	Planning responsibilities
national	Minister of Development Funds and Regional Policy	elaboration of the national development concept (long-term document) and medium-term national development strategy
regional	Voivodeship marshal (self-government)	elaboration of 1) voivodeship spatial development plan, which can include spatial development plan as part of the voivodeship spatial development plan (plan of Metropolitan area) 2) landscape audit
local	Municipality (self-government)	elaboration of 1) general plans of municipalities 2) local spatial development plan or the integrated investment plan 3) resolution on the rules of placing advertisement

Spatial planning system and strategic planning system combined

Level of administration		planning act	Remarks
national		National development concept (Koncepcja rozwoju kraju) – strategic planning system	Obligatory, interdisciplinary, long-term, currently under preparation; defines trends, development scenarios until 2050 and challenges
		Medium-term national development strategy (średniookresowa strategia rozwoju kraju) – strategic planning system	Obligatory, adopted in 2016, basis for the main directions of development of the country, binding for regional development strategy. The strategy will be updated after the national development concept is adopted. Next medium-term national development strategy will be integrated document which guides socio-economic and spatial development.
regional		Regional development strategy – strategic planning system	Obligatory, by the end of 2025 they must be changed. New strategies will also apply to spatial planning and development.
		Regional (voivodeship) spatial development plan (plan zagospodarowania przestrzennego województwa) – spatial planning system	Obligatory, basis for the directions of regional infrastructure development (coherent with regional development strategy), taken into account by general plan of municipality
		Landscape audit (audyt krajobrazowy) – spatial planning system	Obligatory, basis for identification of protection requirements of priority landscapes, taken into account by regional (voivodeship) spatial development plan, general plan of municipality and local spatial development plan
Local	Until the general spatial development	Study of spatial conditions and development (studium uwarunkowań i kierunków zagospodarowania	Obligatory, binding for local spatial development plan

plan is adopted but no longer than until the end of 2025	przestrzennego) – spatial planning system	
	Local development plan (miejscowy plan zagospodarowania przestrzennego) – spatial planning system	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 decision on terms of building and land development required to obtain a building permit)
	Individual decision on terms of building and land development	In areas without spatial development plan or integrated investment plan - Individual decision on terms of building and land development is required to obtain a building permit, but study is not binding this decision
	resolution on the rules of placing advertisement (uchwała w sprawie zasad sytuowania reklam, obiektów małej architektury i ogrodzeń) – spatial planning system	Discretionary, basis for rules of placing advertisement and street furniture in public spaces, when adopted - allows taxation of advertisement (based on separate resolution)
From 2026 or earlier – from adoption of the general plan of municipality	Local development strategy - commune development strategy or supra-local development strategy (strategia rozwoju gminy lub strategia rozwoju ponadlokalnego) – strategic planning system	Obligatory for all municipalities (obligation to adopt one of these strategies), taken into account by general plan of municipality and local spatial development plan
	General plan of municipality (plan ogólny gminy) – spatial planning system	Obligatory for all municipalities, binding for local spatial development plan, integrated investment plan or individual location decision
	Local spatial development plan (miejscowy plan zagospodarowania przestrzennego) – spatial planning system	Basis for building permit, obligatory only for specific areas or types of objects (including. wind farms or large retail centres), otherwise discretionary

		<p>Integrated investment plan – a form of local spatial development plan (zintegrowany plan inwestycyjny) – spatial planning system</p>	<p>Basis for building permit, optional, prepared by the investor, adopted by the commune</p>
		<p>Individual decision on terms of building and land development</p>	<p>In areas without spatial development plan or integrated investment plan - Individual decision on terms of building and land development is required to obtain a building permit, but now the decision is bound by the general plan</p>
		<p>Resolution on the rules of placing advertisement (uchwała w sprawie zasad sytuowania reklam, obiektów małej architektury i ogrodzeń) – spatial planning system</p>	<p>Discretionary, basis for rules of placing advertisement and street furniture in public spaces, when adopted - allows taxation of advertisement (based on separate resolution)</p>