



Centre for Research on Settlements and Urbanism

**Journal of Settlements and Spatial Planning**

Journal homepage: <http://jssp.reviste.ubbcluj.ro>



# Planning Documents Issued in Poland at the Municipal Level. Example of the Krakow Metropolitan Area

**Artur HOŁUJ<sup>1</sup>, Bernadetta ZAWILIŃSKA<sup>1</sup>**

<sup>1</sup> Cracow University of Economics, Department of Regional Economics, Faculty of Finance, Cracow, POLAND

E-mail: [holuja@uek.krakow.pl](mailto:holuja@uek.krakow.pl), [zawilinb@uek.krakow.pl](mailto:zawilinb@uek.krakow.pl)

**Keywords:** *spatial planning, spatial development, spatial management, spatial policy, municipal spatial development plan, study of conditions and directions of spatial development*

## ABSTRACT

The paper has been devoted to problems related to spatial planning and development faced by all participants to this process in Poland. The primary aim is to present the most serious dilemmas in respect of spatial planning at the municipal level, which is of great importance in terms of the spatial policy of the whole country. An attempt has been made to identify issues which, according to the authors, require urgent response from the State due to their adverse effects on space. Surveys carried out within the Krakow Metropolitan Area allowed for drawing important conclusions. Thus it can be concluded that the defective spatial planning system, perceived through the prism of imperfect planning studies, requires modernization and improvement which should be carried out as soon as possible. This can be achieved once the rule of law on which the spatial planning system in Poland is based is reconstructed.

## 1. INTRODUCTION

Spatial planning and spatial development, as processes involving all participants and users operating in a specified space, is an important and complex aspect of both regional and economic policy pursued at the various levels of the local government in Poland (municipality or commune, district, province, country).

The spatial development process is characterized by its three different aspects: it is a long-term process which involves high costs and has a significant conflict potential. Its long-term nature is due to the fact that the spatial organization and its order are affected by numerous factors (e.g. the condition of road and technical infrastructure, the location of individual buildings, their aesthetic values, the amount of green areas, etc.). Any changes in the organization and developing space, as well as attempts to improve it (modernize, revitalize, restructure) are the result of the need to execute activities from a number of areas, which makes the very process of affecting it and within it

rather time consuming. Undoubtedly, it needs to be pointed out that actions undertaken presently within spatial policy should be based on previously well-thought-out, properly developed and adopted planning documents, which would guarantee to some extent their effectiveness in a given area (it is worth noting at that point that there is also a human factor involved, which is impossible to be fully identified in advance, e.g. corruption potential of the process, lack of qualifications, etc.). On the other hand, the very process of their development and introducing changes thereto is often prolonged, which also limits the pace of their implementation [18], [3].

The high costs of spatial development are mainly due to the nature of the activities which are undertaken in the framework of the executed spatial policy. These include e.g. costs of setting up road and energy infrastructure [13], etc.

The conflict-generating potential is associated primarily with the fact that in accordance with the applicable Polish *Act on spatial planning and*

*development* [30], spatial planning takes place at all levels of local government in the country. As a result spatial policy must be continuously coordinated between the various levels of government, which can be very onerous (no access to complete and current information from the various levels of space management, heterogeneous spatial data structure, etc.). The conflict-generating potential of spatial management is mainly due to conflicts of interest, which significantly slows down the execution of planned actions, and sometimes makes their execution impossible. The problem is most pronounced at the lowest level of government (more in [8]), i.e. the municipality or commune - NUTS 5 (Nomenclature of Territorial Units for Statistics).

The spatial planning system in Poland continues to evolve. During more than forty years of the centrally planned economy, i.e. until 1989, major changes occurred in Polish space compared to Western Europe [2], [16]. However, these changes were most often the effect of a policy which was not based on the elementary and, by now, universal principles of sustainable development. Moreover, the socio-economic policy the state did not seek in a broader context for the implementation of its guidelines in light of the widely understood spatial order.

Lack of coordination of activities in respect of spatial management at the local level led to increasing chaos that persists in many places in Poland to this day. Therefore, seeking to pursue an effective development policy both in relation to private entities and residents public authorities need to focus on the quality of the space that they offer to them. Despite the fact that problems related to spatial development have been properly recognized by the public authorities for over 20 years, the quality of Polish space is still not satisfactory.

The quality of space is affected by a number of factors, including the planning system itself and its instruments [19], [20]. As we have previously noted, a correlation between spatial development and economic development seems intuitively to be significant. Therefore, there is a pronounced need for research in this area. Unfortunately, there are significant barriers to conducting such research. These include underdeveloped public statistical databases (the Ministry of Transport, Construction and Maritime Economy is preparing for the implementation of the INSPIRE Directive, as a result of which relevant data and metadata are collected and processed) and the associated subjectivity of the assessment of the situation with respect of spatial development.

One can also intuitively assume that spatial development determines to a large extent socio-economic development. This relationship appears to work both ways. Therefore, given the previous observations, spatial planning is an important and at the same time one of the most difficult elements of the development policy pursued by public authorities.

Discussion on the situation in respect of spatial planning in Poland must be a multidimensional one, just as it was abroad [4], because due to the complexity of the process no fragmentary and random analyses should be made. This results in the assessment of local government being the legislator in regard of spatial planning and development, and of local communities.

The purpose of this paper is to present the most important dilemmas in the field of spatial planning in Poland at the municipal level and identify the most urgent issues that require response from the State. The paper attempts to evaluate the existing system of spatial planning and development and recognition of the mutual impact of the most important elements determining the quality and level of spatial development.

## 2. THEORY AND METHODOLOGY

Analysing various scientific publications (e.g. by Z. Niewiadomski, P. Śleszyński, T. Markowski), one can generally assume that *spatial planning* means conscious and deliberate development of a specific space. People choose where and how to manage it. Additional factors, such as investment opportunities, social constraints, or even sentiments - attachment to the space, not supported by economic, measurable aspects, are often of importance in this regard. Furthermore, "specific nature of given space" mentioned before is quite often associated with limited access to land enabling the creation of optimal conditions for human existence or business activity [5]. It should be emphasized that the present situation as regards spatial development is often a result of past decisions.

### 2.1. General characteristics of the spatial planning system in Poland

According to the National Spatial Development Concept 2030 spatial development is one of the most important instruments for creating territorial cohesion. In the area related to the spatial policy manifested through spatial, social, economic and environmental order it co-decides on the compatibility of socio-economic and environmental systems [29].

Proper spatial development, in line with the spatial policy of the country and a given region, enables theoretically stable development of a given territorial unit (the authors have in mind mainly the municipality or commune, which is the elementary component of the image of the region or the country). Spatial planning is performed using the current legislative solutions, with which the authorities can affect the individual actors in order to achieve a comprehensive, pre-approved developmental effect [28]. It should, however, be emphasized at this point that there is no proper coordination as regards spatial and strategic planning (also economic one).

Spatial planning is also the realization of the policies implemented by the authorities and it is a tool kit essential to creative development management. The development method and, in many circumstances, the spatial order itself clearly indicate the level of development, including civilization development. Distortions of space can be caused by a lack of competence, willingness to collaborate and a defective letter of law, which allows for its diverse interpretation. Sometimes they originate from corruption generating arrangements, though in some cases they are, unfortunately, a result of ordinary ignorance.

The planning document system in Poland is composed of the following documents:

- National Spatial Development Concept;
- provincial spatial development plan (their number is the same as the number of provinces in Poland -16);
- municipal study of conditions and directions of spatial development(there are 2,479 municipalities and communes in Poland);
- municipal spatial development plan (number - unlimited);
- and administrative decisions, such as: zoning approvals and ones determining the location of a public investment (number - unlimited).

At the district level it is not required to develop planning documents; it is possible to develop only analyses and studies on spatial planning - which is not common.

The powers enjoyed by authorities in the field of spatial planning are diverse and depend on the level of governance (local and central government authority), and are sanctioned by the currently valid Act of 27 March 2003 on spatial planning and development (Journal of Laws of 2012, item 647 – consolidated text). It can be considered that most of the major principles upon which the previous regulation of 1994 was based were largely re-used, while failing to introduce new solutions to the system covering spatial policy.

What seems to be the most noticeable and interesting for the average user is spatial planning at municipal level (for more information see [18]), as planning documents developed at this level are often subjected to severe, though not always fair, criticism from local communities. With the reorganization of the system in Poland after 1989, municipalities and communes acquired planning freedom which is virtually uncontrolled by the State authorities. Space development causes excitement among the various interest groups, including local government officials and the residents. It turns out that the pressure voiced by residents is often reflected in planning decisions (in practice, private interest and public one often depreciate each other and even fight against each other, causing undesirable "blurring" of benefits resulting from the Act.). Conflicts can often arise also between investors and their neighbours. The real problem and the dilemma is the conflict-generating potential of

spatial planning and development. The understanding and good will in this regard are often insufficient. Moreover, there is no unambiguous interpretation of the law, which is provided with numerous exceptions to the constituent principles [6].

According to the originally adopted intention, a *municipal study of conditions and directions of spatial development* is obligatorily prepared for the whole area of a given municipality or commune in order to determine the correct municipal spatial policy. The study is not an act of local law, but the arrangements contained in it are binding on the municipal authorities in developing local plans.

This study is the basic document of the diagnostic nature, which contains a detailed description of the municipality or commune and the conditions and desired directions of its development. The preparation of this study is preceded by analyses and discussion. Furthermore, these documents are also evaluated by independent external bodies. What seems problematic is, however, the ratio of conditions which have been laid down and those which have been discussed to the very directions of spatial development of the municipality or commune. Those plans tend rather to focus on the description of conditions, while directions of development are recognized in very general terms. Furthermore, the process of developing such study takes some time (from several months to even several years), which results in the fact that the conditions based on which the development directions were laid down may change by the time the document is adopted.

*The municipal spatial development plan* (MSDP) sets the purpose of the land and identifies the ways of their use and development. As the only document in the entire planning system it is an act of local law, and is made optionally for the municipal area or part thereof, but the municipality or commune can also completely abandon to develop this document. The system's drawback which requires improvement is that it has virtually no good instrument for the protection of legal interest. This matter should not be considered as *overinterpreting* property rights, which is unfortunately often the case. We need an effective tool protecting against unjust and erroneous (ill-considered, short-sighted) ideas on the use of space.

The Act of 2003 assumes theoretically (as can definitely be stated from the perspective of ten years) sustainable development and spatial order to be a basis for spatial policy principles and the scope and methods of allocation of land for specific purposes, as well as establishing rules for its use and development [30]. The most significant changes in the Act included originally the new functions of the local spatial development plan, where a detailed plan became the basis for issuance of building permits. There was an apparent increase in the rank of the municipal study of conditions and directions of spatial development; originally the procedures followed in the process of its creation were compared to those dedicated to the preparation of local plans. There

is a lot of truth in that, but this topic will be discussed further in section. In areas for which no local spatial development plans have been developed, the ways of use and conditions of development are determined by way of a *land use planning decision*, which can take two forms: decision on the location of a public investment and zoning approval. The problematic zoning approval for only, or "even for" areas for which no plans have been developed is issued for an indefinite time (through it expires at the time of adoption of a local spatial development plan). Already after a few years following the adoption of the revised rules it can be seen that in terms of qualitative and quantitative use of space the effects of the changes are rather negative (for more information see [10]).

## 2.2. Characteristics of research carried out in the Krakow Metropolitan Area

The spatial extent of the empirical part of the study covers the municipalities and communes included in the Krakow Metropolitan Area (KMA)<sup>1</sup>. The research was conducted in June and July 2012. It included survey interviews conducted in the municipal offices and those conducted among the residents. The research covered all municipalities and communes of the KMA, with the exception of the city of Krakow (the number of municipalities and communes  $n=50$ ). Questions addressed both to the municipal offices and the residents related to strategic and spatial development of the municipalities and communes.

The questionnaire addressed to the municipal offices consisted of 62 questions (open and closed) – only a selected part thereof will be subject to further inference. After verification of the responses and rejecting questionnaires which had not been filled in as required, the analysis was based on interviews carried out in 44 municipalities and communes (88% of the total). The responses were obtained from employees of the municipal offices of the Krakow Metropolitan Area.

<sup>1</sup> The Krakow Metropolita Area was established in 2003. It is made up mainly of: Krakow, Skawina, Wieliczka, Myślenice, Wadowice, Krzeszowice, Niepołomice and 50 municipalities and communes surrounding them. The KMA covers a total area of 406,500 ha, which accounts for almost 27% of the area of the Małopolskie province. The structure of the municipalities and communes of the KMA is as follows: 67% of them are rural communes, 10% - urban and rural communes, while 23% of them are municipalities. In 2011, the population of the KMA was 1,480,000 people, which accounted for 44.5% of all inhabitants of the province. The population density in the KMA is relatively high – more than 360 people per km<sup>2</sup> (with the national average of 122 people per km<sup>2</sup>). The most densely populated areas are Krakow (2,312 people per km<sup>2</sup>) and Bochnia (1,010 people per km<sup>2</sup>). Other highly populated areas include mainly those municipalities and communes which are located in the immediate vicinity of Krakow (for more information see [14]). The KMA is located within the borders of several geographical units, which manifests itself in a significant natural diversity of the area. Its northern part is lies in the highlands: the Silesian-Krakow and Małopolska ones, while its southern part lies within the borders of the Outer Western Carpathians. These units are separated by the latitudinal belt of Subcarpathian depressions.

Most of them were individuals responsible for spatial development and planning, real property management, municipal services and nature conservation. Moreover, in some cases, responses were provided also by individuals holding the position of a commune head or a mayor and their deputies, as well as the secretary of a commune or municipality.

15-20 respondents from among the residents of each municipality and commune were included in the survey. Answers provided by 656 respondents were used in the analysis after rejecting questionnaires filled in incompletely, incorrectly or illegibly. The questionnaire addressed to the residents consisted of 17 questions.

It was deliberately decided not to undertake research in respect of the importance of the various stages of the planning procedure in which the residents and stakeholders are involved for the substantive aspects of a future local plan. Social participation (for more information see [27]) in the process reveals only professed concern, and this rather negative assessment is due to the observed insignificant final results of co-participation in the procedures related to the development of the document.

## 3. RESULTS AND DISCUSSION

Surveys conducted in the municipal offices focused mainly on the perception of the spatial planning and development system by employees of the local government units of the KMA.

From the point of view of an official, the apparently easiest way to evaluate the system is to consider it in general terms for whole Poland (research in this area has also been carried out [25], [26]). Nevertheless, such evaluation should encompass a number of components, therefore it requires considerable experience of the evaluator. The evaluations were based primarily on procedural grounds, the meaning of the various planning studies at various levels (including the national and provincial ones), as well as the effects of administrative decisions issued in accordance with the Act of spatial planning and development (e.g. zoning approvals). The overall assessment given by the officials of the municipalities and communes of the KMA is as follows: in more than 26% of Polish municipalities and communes the spatial planning and development system was rated "very poor", and in nearly 24% of them it was rated "poor". According to 33% of the respondents the system is sufficient. Only a few municipalities and communes rated it "good".

An important issue is the degree of coverage of the area of a municipality or commune with a relevant local spatial development plan. Officials' opinions on the number of municipal spatial development plan vary. According to 38% of the respondents the number of plans is fully satisfactory, and 26% of them consider it to be satisfactory; 9.5% and nearly 12% of them consider it to be very poor or poor, respectively. What

exactly is the "sufficient" number of local plans and the area specified in them? First of all, in no case is it a specific number of local spatial development plans (it can be any number) or coverage of the municipality or commune in 100%. Secondly, discussing local plans one cannot overlook their quality and content (research of a similar nature has been carried out in other municipalities and communes in Poland ([1], [3], [21], [22], [23], [24]). A local plan should reflect the current situation in respect of the existing buildings, land use and technical infrastructure. So it is necessary to make a complete inventory and not to analyse the area from "behind a desk" based on satellite images offered by various online portals. Thirdly, a plan should be based on the most current copy of the basic map, and a local spatial development plan must take into account the previous changes made in respect of space in the – after all local plans for areas with elements of natural environment are rare in Poland. Fourthly, are developed local plans consistent with the previously created urban systems, or are they a concept detached from the municipal space [12]? This is very important because defragmentation of space will lead to high costs (economic and social) of the subsequent functioning/existence in it [9]. Fifthly, do developed local plans accept the existing pathologies in space? Finally, are potential costs of maintaining the land for construction purposes included in local plans in the event of the introduction of a cadastral tax taken into account? (It is estimated that the population of Poland could be 70 million if all land for construction purposes included in local spatial development plans was used).

Summing up, there is no universal key of solutions for all municipalities and communes of the KMA. Depending on local conditions, this is a relation of the needs of individuals and the community to the existing situation as regards spatial planning. Furthermore, the spatial planning and development process brings the first results pretty soon, however, the sustainability of this process will be evaluated only by future generations.

The vast majority of the respondents believe that the existing municipal local plans are in line with the spatial policy established by municipalities and communes. Nearly 74% of the respondents rated the extent to which they are consistent with such policy "high" or "very high". There were also strongly negative opinions in this regard (9.5%), which confirms the lack of understanding of the planning system concept in Poland.

Spatial policy in accordance with which a study of conditions and directions of spatial development is developed can take on various forms. One of the least desirable scenarios is a situation in which the study is developed (in accordance with a statutory obligation), but the proposed directions of development are unrealistic or are of little interest to residents or businesses. There are also opinions that the study is not

properly evaluated by some local authorities as regards the very principle of its development. However, in the vast majority of cases the document is prepared properly, and local plans are consistent with its content.

A clear decision according to what document the rules for use and development, land allocation or distribution of public investments should be determined is not practicable. It has been assumed, although contrary opinions may be heard, that it is the local plan that should serve the purposes mentioned in the cited examples of issuing building permits. A land use planning decision should be treated as an occasional solution when no local plan has been adopted for a given area.

However, the Act on spatial planning and development does not impose a duty on local authorities draw up plans. Pursuant to the Act the local spatial development plan and the study of conditions and directions of spatial development can be used interchangeably. We may use as an example Article 6 paragraph 2. *Everyone has the right, within the limits of the law, to use the land to which they have a legal title under the conditions set forth in the local spatial development plan or land use planning decision, provided this does not violate the legally protected public interest or interest of third parties (...)*. There are, however, exceptions to this rule when the preparation of the plan is mandatory.

It can be assumed, on the basis of the conducted surveys, that the local plan is significantly appreciated. It was rated "very high" by 38% of the municipal offices. About 43% of them rated it "high" and 19% - "average". It must be emphasized that none of the respondents rated the local spatial development plan negatively.

The negative perception of the existing legislation would be undeniably evidenced by a relatively low rating of land use planning decisions. Unfortunately, opinions on this matter are largely varied. 26% of surveyed residents were critical about land use planning decisions, but as many as 19% of them gave them the highest rate. It can be concluded that this situation results on the one hand from the indolence in developing local plans, and on the other from the possibility of virtually any form of development based on a discretionary administrative decision in respect of land development conditions. In some municipalities and communities there is absolutely no vision for the future, manifesting itself in the development of small local plans not tied by an appropriate urban "bracket", as a result of which a relatively homogenous slice of space becomes an area developed in a way which differentiates it considerably.

Effective spatial planning is a difficult art that requires not only the involvement of municipal authorities themselves, but also residents. Research shows that the participation of local communities in the process of the development of planning documents by

the municipalities and communes of the KMA is evaluated quite positively, i.e. in 57.1% of the surveyed municipalities and communes the participation of the residents was rated "very high", in 31.0% - "high" and in 7.1% - "average". Continuing in this vein it needs to be ascertained what really generates interest in the subject. Based on the research and interviews with the authorities it can be concluded that what arouses excitement among residents are the final "record" of the local spatial development plan. In recent years, residents have been following closely the planning process and intervening at the right time by submitting comments on the draft local plan laid out to the public (this interest increased in direct proportion to the increase in land prices).

Comments often concern reclassification of agricultural land for construction one, opposition to planned line investments (mainly roads), and sometimes contain negative opinions about the validity of the created plan.

Considerable interest is aroused also by Municipal Council meetings during which issues related to spatial planning and development are discussed. This applies in particular to those meetings at which comments on draft planning documents are considered. Only 7.1% of the respondents indicated lack of any interest on the part of the residents, and in the case of 21.4% of them interest was modest. Among the remaining part of the respondents 26.2% felt that participation in the aforementioned meetings of the Council (participation in public debate) was perceived by the residents as very significant; 28.6% of them rated their importance as high, and 16.7% of them as average. This state of affairs is very intriguing as it shows, above all, increasing awareness and perhaps, to some degree, residents' knowledge of spatial planning in Poland. It is to be hoped that both the preferences of the residents and the perception of space as public property will change in the future, and respect for property rights in accordance with the canons adopted in developed countries for which respect for the common good is of great importance will become an increasingly common practice.

As far as the municipal level is concerned, the debate should focus undoubtedly on the studies of conditions and directions of spatial development and municipal spatial development plans. As regards the present research, however, the evaluation of the study of conditions and directions of spatial development was abandoned for several reasons.

The plan is obligatory in Poland, therefore all municipalities and communes should be in its possession (for more information see [11]). Of course, in-depth analysis could be carried out in respect of the validity of the plan, its quality as regards graphics, the type of topographic maps, etc. Furthermore, as an act of internal management (an internal document of the municipality or commune) the plan is developed without meaningful participation of the residents (the

draft is subject to public consultation). The transfer of decision-making in respect of the wording of the content only on the authorities, without the participation of the community, resulted in that the content of the plan may not necessarily be correct in the light of development concepts created by the residents. Thus, the evaluation by the municipal authorities only could turn out to be too subjective. The intention of the legislature is the most readable and clearly formulated potential content of the plan. Problems arise, however, already at the organizational stage - sometimes the information with which the content of the plan would be valid is insufficient. The use of outdated statistics and graphics results in that the proposed policy is not tailored to the needs of the municipality or commune. Furthermore, municipal offices are not prepared substantially well enough to the development of planning documents - they do not have staff with knowledge of the issues of spatial planning and development.

When pilot research was conducted in the Krakow Metropolitan Area it also turned out that in many municipal units the authorities introduced in the plan a passive spatial policy whose analysis and formulation of final conclusions, in particular, would require much more detailed surveys combined with an extensive standardized interview. Insufficient legislative standards, including those which should be required in resolutions on local plans are the main barrier that hinders the effective management of space in Poland. The result is that the provisions contained in numerous plans are very difficult to interpret, and thus make it possible to decide on the use of space in the most discretionary way. It is estimated that the coverage of Polish space with local spatial development plans is currently 30%. Urban centres intensifying planning work in recent years (such as Gdańsk, Krakow, Poznań, Warsaw and Wrocław) are of importance in this regard. Analysing the problem in global terms, it can be concluded that there are no premises that this rate can change dramatically in the near future. A kind of saturation with planning documents can be observed, but it is of course apparent only. Furthermore, there is no need to fully cover with local plans municipalities or communes, especially those in which the density of development is low and the area does not have a significant value as regards e.g. natural environment or cultural heritage. Planning studies involve the expenditure of funds from the municipal budget, therefore in many cases they may not be necessary.

Undoubtedly, it is necessary to carry out urbanizing activities especially on areas covered by local plans. Lack of systematization in spatial planning is detrimental to natural environment, space and, in the long run, the human. Another very problematic issue is the already implemented, though not well thought-out principle of good neighbourliness which is associated with the zoning approval. In itself, the principle is a good solution (the idea was taken from solutions

worked out in Germany) (for more information see [17]), but the Polish reality, i.e. case law or administrative practice have definitely revised its premises. As a result, during nearly ten years there have appeared a significant number of abstract construction investment projects, especially in housing, which due to their location and architecture decompose space, mainly in cities and municipalities and communes in which the commuters live. Experience shows that it seems necessary to carry out also the following activities [31]:

- introduction into the planning and investment practice realistic principles of spatial order supported by the principle of integrated development and the constitutional principle of sustainable development;
- improvement of the effectiveness of the spatial planning system;
- reduction of adverse spatial effects, i.e. chaotic suburbanization and urban sprawl;
- enhancing spatial planning;
- cutting red tape and reducing areas of discretion in administrative decisions and streamlining the investment process.

#### 4. CONCLUSION

The survey conducted among local authorities in the Krakow Metropolitan Area allowed for drawing the following main conclusions.

Analysing the attitude of the representatives and management of the municipalities and communes of the Krakow Metropolitan Area one can have an impression that the spatial policy pursued in them is unfortunately quite often a definitely passive one. There are also situations in which no systematic idea on the spatial development of a municipality or commune can be found, and the proposed spatial policy is not supported in any way by the economic conditions prevailing in the municipality or commune. Furthermore, the study of conditions and directions of spatial development and the local spatial development plan can become part of a long-lasting "political game" – they are adopted for a period of several years and the actions specified in them are to be implemented by various changing political options. The development of the study of conditions and directions of spatial development takes sometimes several years, and its costs can be as high as several million zlotys. It is necessary to note at this point that the study does not have the rank of a municipal regulation and its overall role is lower than that which could result from a superficial interpretation of the letter of the law. The procedures for the development of a local spatial development plan are also complex, but the time of preparation of this plan is much shorter, and the costs depend on the type of space, the degree of urbanization, etc. Furthermore, the local spatial development plan is a document of the local law. Legal and formal arrangements covering the area defined in

a specific local plan must take into account the original situation and predict potential changes in a given space. Unfortunately, when an area covered by a local plan comprises structures which are undesirable because of the form of their use, environmental impact, aesthetic values, etc., there are no appropriate solutions that would unambiguously and in a short time eliminate the problem. Bad management involving illegal development or an ill-considered zoning approval (especially as regards the latter) can be adjusted by the relevant entry in the local plan. However, in practice, only the end of the usable life of a given structure can lead to the restoration of the original "cleanness" of space. As a consequence the existing spatial solutions which cause reorganization of given space are accepted. And it is rather meaningless whether the grounds for specific measures are random or properly organized, as it has little to do with the policy of integrated order (social, economic, environmental and spatial) [29], [8].

At this point other important documents developed in the municipality or community should be noted. For example, a municipal development strategy (the time horizon does not matter; it may be, for instance a medium-term strategy) requires also a broad analysis/diagnosis before further proceeding are instituted, i.e. a record of a SWOT analysis, mission, vision, strategic objectives, etc. It would be much more efficient and, above all, cheaper to develop one broad diagnosis of the conditions prevailing in the municipality or commune, the content of which could be the basis of various studies including those in the area of spatial and strategic planning. Therefore, according to the authors the study of conditions and directions of spatial development should focus primarily on the pursued local policy, i.e. a policy in which the municipal spatial conditions will correspond to those of the region, which in turn will translate into a correct record of the policy - the directions of development of the municipality or commune. In Poland, the system of monitoring tasks implemented in the framework of spatial policy within the spatial planning system and all its participants is inefficient or simply does not exist [7]. In other countries it also evolved – this process also required some time [12]. Public participation in the planning process should involve providing citizens with possibly most detailed information on the intended actions carried out within space. In a longer perspective this will entail the need for the establishment of a comprehensive information system and educating the public on space management, the requirements of spatial order and operating in accordance with the principles of sustainable development. Problems may also arise in connection with the implementation of the constitutional rights of ownership, as it is the owner who decides when the property becomes a building plot. The content of the right to use should be defined. Failure to introduce a proper interpretation limited to

the right to use and effective public control may result in the fact that the reorganization of the letter of the law does not improve the spatial planning system [32].

The comments quoted above and many other defects require the State to carry out as soon as possible modernization of spatial planning and streamline it at all levels of government. This can be possible when the Act on spatial planning and development is reconstructed [6].

## REFERENCES

- [1] **Brańka, P., Hołuj, A.** (2012), *Zagospodarowanie przestrzenne jako czynnik rozwoju społeczno-gospodarczego na przykładzie miasta Krakowa*. Uniwersytet Ekonomiczny w Krakowie, Badania Młodych Naukowców, Kraków (umowa nr 192/KGR/2 i 3/2011/MN/021).
- [2] **Couch, C., Petschel-Held, G., Leontidou, L.** (2007), *Urban Sprawl in Europe: Landscape, Land-Use Change and Policy*, Blackwell Publishing Ltd, Oxford, UK, pp. 39 -65.
- [3] **Fogel, P.** (2012), *Wskaźniki oceny polityki I gospodarki przestrzennej w gminach*. Biuletyn KPZK PAN, v. 250, Warszawa.
- [4] **Gurran, N.** (2011), *Australian urban land use planning. Principles, system and practice*. Second edition. Sydney University Press, pp.18-24.
- [5] **Hall, P.** (2005), *Urban and Regional Planning* Taylor & Francis Group e-Library, Great Britain.
- [6] **Hołuj, A.** (2012), *Problemy i dylematy planowania przestrzennego w różnych typach jednostek terytorialnych*. STUDIA KPZK PAN, v. CXL, II, A. Harańczyk (ed.), Polska Akademia Nauk, Komitet Przestrzennego Zagospodarowania Kraju, Warszawa, pp. 385-388.
- [7] **Hołuj, A., Hołuj, D.** (2010), *Dylematy zarządzania obszarami metropolitalnymi w Polsce jako element polityki regionalnej*, STUDIA KPZK PAN, v. CXXXI, T. Kudłacz (ed.), Polska Akademia Nauk, Komitet Przestrzennego Zagospodarowania Kraju, Warszawa, str.: 280-288.
- [8] **Kolipiński, B.** (2011), *Planowanie przestrzenne w Polsce – analiza krytyczna*. STUDIA KPZK PAN v. CXXXIX, Markowski T., Żuber P. (eds.), Polska Akademia Nauk, Komitet Przestrzennego Zagospodarowania Kraju, Warszawa, pp. 82-99.
- [9] **Kresl, P. K.** (2007), *Planning Cities for the Future: The Successes and Failures of Urban Economic Strategies in Europe*, EE, UK, pp.13- 24.
- [10] **Kwaśniak, P.** (2011), *Plan miejscowy w systemie zagospodarowania przestrzennego*, wydanie 3, LexisNexis, Warszawa.
- [11] **Leoński, Z., Szewczyk, M., Kruś, M.** (2012), *Prawo zagospodarowania przestrzeni*, LEX Warszawa.
- [12] **Liszewski, S.** (2012), *Geografia urbanistyczna* PWN, Warszawa, pp. 175-203.
- [13] **Malko, J., Parczewski, Z.** (2008), *Przestrzenne uwarunkowania i potrzeby terytorialne związane z rozwojem systemów technicznej infrastruktury energetycznej*, Rekomendacje dla KPZK, Komitet Problemów Energetyki, Polska Akademia Nauk, [http://www.mrr.gov.pl/rozwoj\\_regionalny/poziom\\_krajowy/polska\\_polityka\\_przestrzenna/prace\\_nad\\_KPZK\\_2008\\_2033/Documents/Malko\\_Parczewski.pdf](http://www.mrr.gov.pl/rozwoj_regionalny/poziom_krajowy/polska_polityka_przestrzenna/prace_nad_KPZK_2008_2033/Documents/Malko_Parczewski.pdf)
- [14] **Musiał-Malago, M.** (2011), *Polaryzacja strukturalna Krakowskiego Obszaru Metropolitalnego*, Prace Naukowe Uniwersytetu Ekonomicznego we Wrocławiu 241, Przestrzeń a rozwój, red. Korenik S., Dybała A. Wydawnictwo Uniwersytetu Ekonomicznego we Wrocławiu, Wrocław s. 120-125.
- [15] **Newman, P., Thornley, A.** (1996), *Urban Planning in Europe: International Competition, National Systems, and planning project*. Routledge, London.
- [16] **Niewiadomski, Z.** (2011), *Planowanie i zagospodarowanie przestrzenne, Komentarz*. Wydawnictwo C.H. BECK Warszawa.
- [17] **Punter, J.** (2003), *The Vancouver Achievement: Urban Planning and Design*, UBC Press Canada.
- [18] **Sosnowski, P.** (2011), *Gminne planowanie przestrzenne a administracja rządowa* LexisNexis, Warszawa.
- [19] **R. Steiner, F., Butler, K.** (2007), *Planning and Urban Design Standards*, American Planning Association, New Jersey, pp. 6-13.
- [20] **Szymańska, D.** (2007), *Urbanizacja na świecie*. Wydawnictwo Naukowe PWE.
- [21] **Śleszyński, P.** (2006), *Szczegółowa interpretacja stanu zagospodarowania prac planistycznych w gminach na koniec 2004 roku wraz z analizą możliwych czynników wpływających na ten stan*. Na zlecenie Departamentu Ładu Przestrzennego w Ministerstwie Transportu i Budownictwa, Instytut Geografii i Przestrzennego Zagospodarowania PAN, Warszawa.
- [22] **Śleszyński, P.** (2006), *Raport o stanie i uwarunkowaniach prac planistycznych w gminach na koniec 2005 roku*. Na zlecenie Departamentu Ładu Przestrzennego w Ministerstwie Transportu i Budownictwa, Instytut Geografii i Przestrzennego Zagospodarowania PAN, Warszawa.
- [23] **Śleszyński, P.** (2007), *Raport o stanie i uwarunkowaniach prac planistycznych w gminach na koniec 2006 roku*. Na zlecenie Departamentu Ładu Przestrzennego i Architektury, w Ministerstwie Budownictwa, Instytut Geografii i Przestrzennego Zagospodarowania PAN, Warszawa.
- [24] **Śleszyński, P.** (2008), *Raport o stanie i uwarunkowaniach prac planistycznych w gminach na koniec 2007 roku*. Na zlecenie Departamentu Nieruchomości i Planowania Przestrzennego, w Ministerstwie Infrastruktury, Instytut Geografii i Przestrzennego Zagospodarowania PAN, Warszawa.



- [25] **Śleszyński, P.** (koordynacja), (2012), *Analiza stanu i uwarunkowań prac planistycznych w gminach na koniec 2010 r.* Instytut Geografii i Przestrzennego Zagospodarowania PAN dla Departamentu Gospodarki Przestrzennej i Budownictwa, Ministerstwo Transportu, Budownictwa i Gospodarki Morskiej, Warszawa.
- [26] **Śleszyński, P., Zielińska, B.** (2012), *Analiza stanu i uwarunkowań prac planistycznych w gminach na koniec 2010 r.* Badanie eksperckie w gminach. Instytut Geografii i Przestrzennego Zagospodarowania PAN dla Departamentu Gospodarki Przestrzennej i Budownictwa, Ministerstwo Transportu, Budownictwa i Gospodarki Morskiej, Warszawa.
- [27] **Zawilińska, B.** (2007), *Działania władz lokalnych w rozwoju turystyki w karpackich parkach krajobrazowych.*, Zeszyty Naukowe UJ, Prace Geograficzne, v. 117, pp. 181-193.
- [28] **Zawilińska, B.** (2010), *Możliwości rozwoju turystyki w parkach krajobrazowych Karpat Polskich w świetle idei zrównoważonego rozwoju*, Monografie: Prace Doktorskie, v. 8, Uniwersytet Ekonomiczny w Krakowie, Kraków.
- [29] \*\*\* *Koncepcja Przestrzennego Zagospodarowania Kraju 2030*, Monitor Polski z 27 kwietnia 2012 r., poz. 252, s.159.
- [30] \*\*\* Ustawa z dnia 27 marca 2003 r. o planowaniu i zagospodarowaniu przestrzennym, Dz. U. 2012, poz. 647 - tekst jednolity.
- [31] \*\*\* *Opinia Głównej Komisji Urbanistyczno-Architektonicznej, o projekcie Ustawy o zmianie ustawy o planowaniu i zagospodarowaniu przestrzennym oraz niektórych ustaw*, Nadzwyczajnej Komisji Sejmowej „Przyjazne Państwo” (Druk Sejmowy), uchwalona 1 października 2008 r., Warszawa 2008, GKUA/27/2008, s. 2.
- [32] \*\*\* *Rekomendowane zasady i zakres reformy praw gospodarki przestrzennej, jako elementu zintegrowanego planowania kraju*, Stanowisko Głównej Komisji Urbanistyczno-Architektonicznej, Przyjęte na XV posiedzeniu Komisji 26 listopada 2010 r., Warszawa, GKUA/29/2010, wersja elektroniczna, s. 2-7.