



The Governance of Land Use

Country fact sheet Poland

The planning system

Levels of government and their responsibilities

Poland has 4 levels of government; the national government, 16 regional governments (*Voivodeship*), 380 intermediate governments (*Powiat*) and 2 478 local governments (*Gmina*). Concerning land use, the national level, regional level and local level have relevant powers.

The national government has a direct role in spatial planning through its responsibility for developing a national spatial development concept. It is also responsible for the *Spatial Planning and Development Act*, which is the framework law for the planning system, and for other laws that affect land use directly and indirectly. Furthermore, the national government influences land use through its responsibility for large infrastructure investments.

Voivodeships play a limited role in spatial planning through their responsibility for *Regional Spatial Plans*. *Powiats* have only minor functions related to planning. The head of a *Powiat* issues non-binding opinions on local plans. In special circumstances, the *Powiat* may also establish an architectural commission. *Powiats* are also responsible for issuing planning permissions in those areas. However, due to the national legislative framework, they have much less discretion in influencing land use in areas that are not covered by land-use plans than in areas that are covered.

The main actors in land-use planning are local governments. They have responsibility for creating and approving *Local Spatial Development Plans*, which are the only legally binding zoning plans in Poland even though large parts of cities are not covered by them. Furthermore, they may prepare *Spatial Studies* that provide visions and non-binding concepts for areas of varying size.

Spatial and land-use plans

Formally, Poland has a hierarchical planning system with plans at the national, regional and local level. In between regional and local plans, the legal possibility for the preparation of metropolitan plans exists, but no such plan has been adopted, yet. In practice, the influence of higher level plans on subordinate plans remains limited.

The *National Spatial Development Concept 2030* provides general policy guidelines primarily related to settlement patterns, transport and environmental aspects. At an intermediate level, *Regional Spatial Plans* spell out regional development strategies and provide guidelines for local land-use plans. They also demarcate restricted areas (for example military bases), flood prone areas and mining areas.

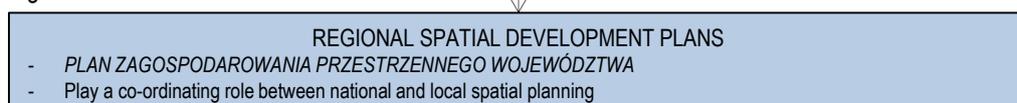
Organisation of spatial and land-use planning in Poland

General framework

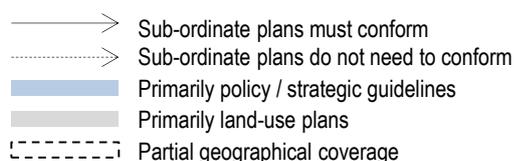
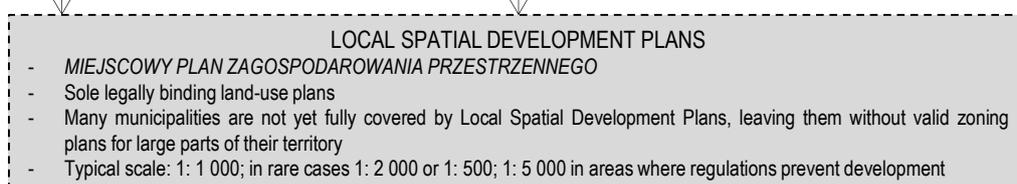
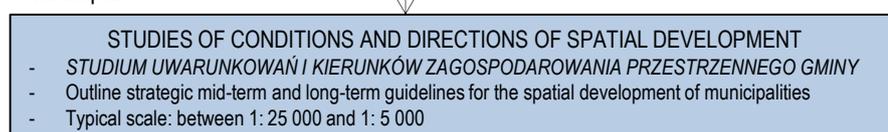
National



Regional



Municipal



Note:

The Metropolitan Association Act of 2015 introduced the possibility to develop a new planning instrument, the Framework Study for Metropolitan Areas. As of the time of writing, no such plan has been approved yet.

The only binding land-use plans in Poland are the *Local Spatial Development Plans*, which are typically drawn at a large scale of 1: 500 in densely built-up areas and at lower scales up to 1: 2 000 in less densely developed areas. Although *Local Spatial Development Plans* are supposed to steer development and urbanisation and municipalities are required to prepare them, the process to prepare plans has not been completed and there are still large gaps in plan coverage. Affected municipalities do not have any legally binding zoning plan for large parts of their territory. Legally, *Local Spatial Development Plans* are required to follow the *Regional Spatial Development Plan*. However, there are no enforcement mechanisms to ensure that local plans actually adhere to regional ones. As a consequence, *Local Spatial Development Plans* are in practice rarely constrained by the *National Spatial Development Concept 2030* or by *Regional Spatial Development Plans*.

Municipalities and regional governments may prepare a second planning document, the *Spatial Study*. It is a strategic document at the local level that outlines the main spatial development objectives of municipalities. It can, but does not necessarily, include detailed land-use plans at scales between 1: 5 000 and 1: 25 000. The main function of the *Spatial Study* is the development of a vision for the municipality. While it is not a statutory instrument, it must be considered in the preparation of *Local Spatial Development Plans*.

Major laws and regulations

The *Spatial Planning and Development Act* is the main framework law that spells out the responsibilities of the three levels of government and describes the legal requirements of the planning process. Importantly, it also provides the rules under which planning permission must be granted if an area is not covered by a *Local Spatial Development Plan*. As large parts of some cities are currently without such a plan, this procedure is an important element in the Polish land-use planning system. The *Real Estate Management Act* contains detailed rules for the management of plots of land. The *Railway Transport Act* and the *Act on Special Rules for the Preparation and Implementation of Investment in Roads* contain the major rules for transport infrastructure investment.

In the absence of an overarching strategic framework that can steer development, a large number of sectoral acts have been approved to guide development in specific contexts. Among them are acts on the preparation of the UEFA Euro 2012, on investments in public airports, on a liquefied natural gas terminal, on telecommunication networks, on flood prevention infrastructure, and on nuclear power plants. As of the time of writing, similar acts are under preparation.

Co-ordination mechanisms

Vertical co-ordination of spatial planning policies is formally provided through the hierarchical relationship between the different levels of government. Furthermore, lower level plans are required to conform to higher level ones. However, in practice the *National Spatial Development Concept 2030* and *Regional Spatial Development Plans* lack the instruments to shape local planning. *Local Spatial Development Plans* also have to be approved by the regional level of government (*Voivodeship*). Horizontal co-ordination occurs primarily on the local level during the planning process through a consultation process that requires public authorities in several sectors to approve local plans. Furthermore, a large number of bodies may issue opinions on local plans without having the power to veto them.

Expropriation

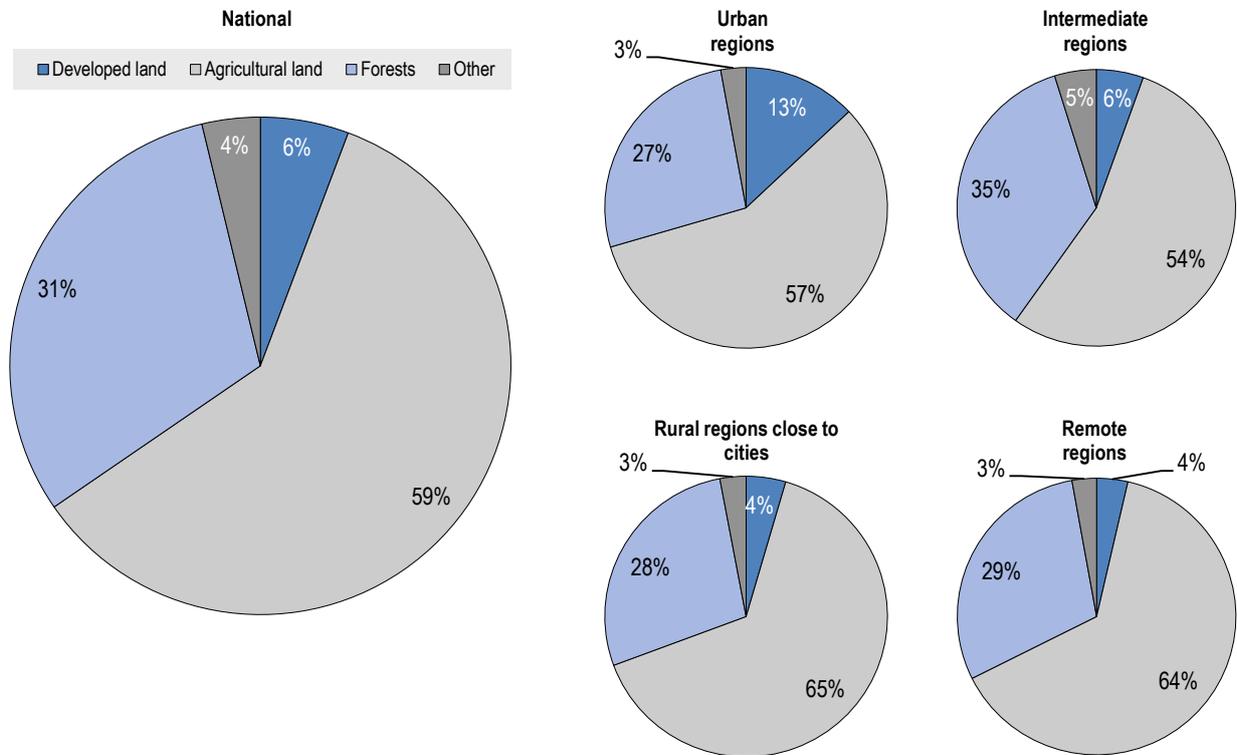
Land can be expropriated for a limited set of public investment projects that are listed in a specific catalogue. Land cannot be expropriated for private uses. If revised or newly established land-use plans restrict the development potential of land, land owners may demand compensation from public authorities.

Recent and planned reforms to the system of land-use planning

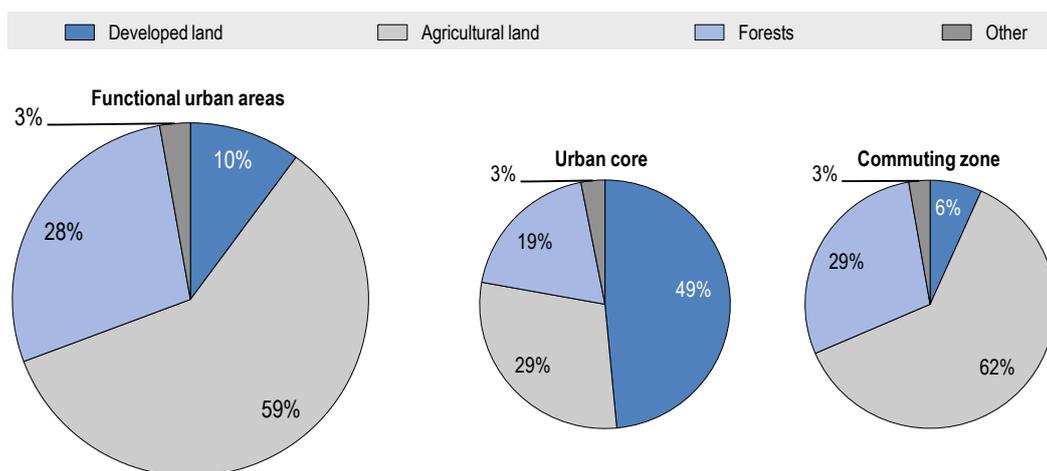
A modern decentralised spatial planning system was created in 1994 after the fall of communism. In 2003, the spatial planning system was significantly modified. As a consequence of this reform, all municipal land-use plans adopted before 1995 became invalid. Subsequently, the preparation and adoption of new plans has been slow and municipalities frequently have large areas that are not covered by a valid new plan.

Land cover in Poland

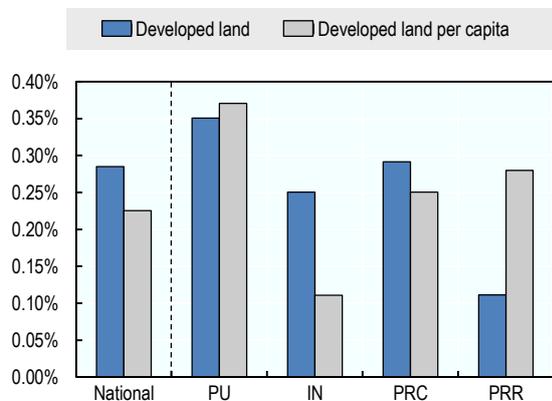
Land cover at the national level



Land cover in functional urban areas (FUAs)

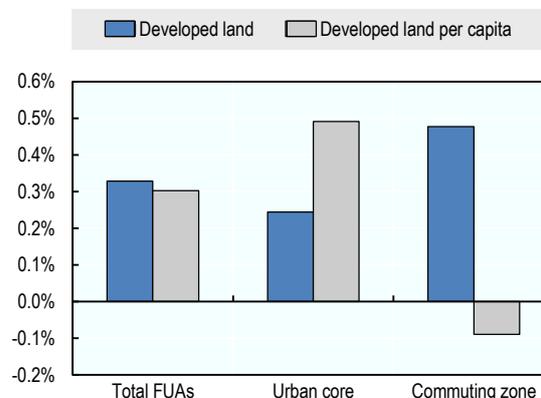


Annual change in developed land, 2000-12



Note: PU: urban regions, IN: intermediate regions, PRC: rural regions close to cities, PRR: rural remote regions.

Annual change in developed land in functional urban areas from 2000 to 2012



Note: Values for urban cores and commuting zones refer only to FUAs with more than 500 000 inhabitants.

Land-use trends in Poland

Agriculture is the dominating land use in Poland. With 59% of the total territory, the share of agricultural land is higher than in many other OECD countries. The use of developed land is close to the OECD average on a per capita basis with 462 square metres. Since 2000, it has increased slowly, but steadily, both in absolute terms and in per capita terms. Developed land grew especially strongly in primarily urban regions. Functional urban areas experienced a strong growth of developed land in their commuting zones and lower growth within urban cores. This trend has been accompanied by population movement from the urban cores into the commuting zones of functional urban areas.

Source: OECD calculations based on *Corine Land Cover* dataset.

Land cover at the national level in Poland

Land cover (km ²)	National	Urban regions	Intermediate regions	Rural regions close to cities	Rural remote regions
Total area	311 927	29 144	132 098	144 704	5 980
Total developed land	17 795	3 783	7 237	6 558	216
Percentage of total	5.7%	13.0%	5.5%	4.5%	3.6%
Annual change in developed land, 2000-12	49.8	13.0	17.8	18.7	0.2
Annual percentage change in developed land, 2000-12	0.29%	0.35%	0.25%	0.29%	0.11%
Agricultural land	186 193	16 762	718 14	93 790	3 827
Percentage of total	59.7%	57.5%	54.4%	64.8%	64.0%
Annual change in agricultural land, 2000-12	-93.7	-14.8	-50.2	-28.0	-0.7
Annual percentage change in agricultural land, 2000-12	-0.05%	-0.09%	-0.07%	-0.03%	-0.02%
Forests	96 225	7 758	46 657	40 043	1 767
Percentage of total	30.8%	26.6%	35.3%	27.7%	29.5%
Annual change in forests, 2000-12	-27.0	4.1	-25.9	-4.3	-0.9
Annual percentage change in forests, 2000-12	-0.03%	0.05%	-0.06%	-0.01%	-0.05%
Land cover per capita (m²)					
Total developed land per capita	462	349	487	523	699
Annual percentage change in developed land per capita, 2000-12	0.23%	0.37%	0.11%	0.25%	0.28%
Agricultural land per capita	4 831	1 544	4 837	7 486	12 364
Annual percentage change in agricultural land per capita, 2000-12	-0.11%	-0.07%	-0.21%	-0.07%	0.15%
Forests per capita	2 497	715	3 142	3 196	5 707
Annual percentage change in forests per capita, 2000-12	-0.09%	0.07%	-0.19%	-0.05%	0.12%

Land cover in functional urban areas (FUAs)

Land cover in FUAs (km ²)	FUAs	Urban core	Commuting zone
Total area	81 416	6 642	74 774
Total developed land	8 231	3 221	5 010
Percentage of total	10.1%	48.5%	6.7%
Annual change in developed land, 2000-12	26.5	6.5	19.9
Annual percentage change in developed land, 2000-12	0.33%	0.21%	0.41%
Agricultural land	48 178	1 949	46 229
Percentage of total	59.2%	29.3%	61.8%
Annual change in agricultural land, 2000-12	-35.7	-6.4	-29.3
Annual percentage change in agricultural land, 2000-12	-0.07%	-0.32%	-0.06%
Forests	22 747	1 267	21 480
Percentage of total	27.9%	19.1%	28.7%
Annual change in forests, 2000-12	0.4	-0.4	0.8
Annual percentage change in forests, 2000-12	0.002%	-0.03%	0.004%
Land cover per capita in FUAs (m²)			
	FUAs (50 000+ inhabitants)	Urban core (only FUAs 500 000+)	Commuting zone (only FUAs 500 000+)
Total developed land per capita	390	230	557
Annual percentage change in developed land per capita, 2000-12	0.30%	0.49%	-0.09%
Agricultural land per capita	2 284	115	3 797
Annual percentage change in agricultural land per capita, 2000-12	-0.10%	-0.22%	-0.65%
Forests per capita	1 079	75	1 390
Annual percentage change in forests per capita, 2000-12	-0.02%	0.27%	-0.52%

Source: All land cover statistics for Poland are based on OECD calculations based on *Corine Land Cover dataset*.