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The Spatial Management System in Poland: The Categorisation of the Problem from the Perspective of the Literature on the Subject

Abstract

Objectives: The article aims to distinguish institutional assessments of the Polish spatial management system's weaknesses in the literature on the subject, as well as place them in the context of the international discussion and the historical context.

Research Design & Methods: The article diagnoses the defects of the spatial management system in Poland, published in 2010–2020, which were confronted with the current theses concerning spatial management systems in Europe and those related to the spatial management system in the Polish People's Republic before 1989. Based on this, the recurring problems and the key challenges for the Polish spatial management system have been identified.

Findings: One can consider the correctness of the assumption that the system in spatial management (considering historical and social conditions and differences, etc.) was less developed than the current one, adopted in Poland after 1989. On the other hand, the solutions adopted in some Western European countries can be considered as much better-prepared than those in Poland (the basis for such a thesis is the enormous spatial chaos generating serious costs, which was indicated in the Polish literature on the subject to a much greater degree than in other countries).

Implications / Recommendations: There should be a wider interdisciplinary connection and coherence of the expressed assessments, as well as a wider consideration of Western European countries' experience.

Contribution / Value Added: The article offers a critical analysis of the literature on the subject concerning spatial management in Poland, proposing new research directions and referencing the literature from the Polish People's Republic, as well as literature on spatial management systems in other European countries.

Keywords: spatial management system, local spatial development plans, spatial policy in Poland

Article classification: review article – original literature review

JEL classification: R11

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Introduction

The issues of the sphere related to spatial planning and development (spatial policy) are the subject of numerous analyses, including scientific ones, and as such cover various disciplines. Despite the passage of time (and more advanced research in various directions), the current spatial planning system provokes extremely critical opinions. The details of such assessments differ, but the general tendency is similar: the spatial order is insufficiently protected in the present spatial management system. The above translates into varied and vast costs.

This article aims to distinguish institutional assessments of the Polish spatial management system's weaknesses in the literature on the subject as well as place them in the context of the international discussion and the historical context. This will be achieved by means of presenting key assessments, expressed mainly in recent years, from the perspective of:

- the represented thematic sphere (legal / urban-architectural / geographical / related to public management, public policy science, and/or institutional economics);
- their scope (referring to the entire spatial planning system / its selected segments / specific detailed issues);
- the suggested solutions (systemic, i.e. those including the concept of a comprehensive amendment to the currently applicable provisions; or fragmented).

Particular attention was paid to the local context, which is vital to the spatial planning system. For this categorisation to be presented in a broader context, selected analyses of the spatial management system were discussed, including previous solutions in Poland's spatial management system as well as current problems in other European countries' spatial management systems. These two issues constitute a crucial point of reference for further considerations. For this article, an attempt was made to characterise the most important problems diagnosed in the literature in both cases.

It should be emphasised that this approach to the problem is a continuation of considerations on the optimal role of individual spatial policy tools (important from the perspective of public management and public policy science). The scientific discussion is also to be practical in the author's opinion.

In the first part of the article, the key theses of literature concerning the assessment of European countries' spatial management system as well as Poland's spatial management system before 1989 are distinguished. The publications containing a comprehensive broad assessment of individual systems are selected. Then, the literature on the current spatial management system in Poland is verified. Three groups of publications have been distinguished here. All publications containing a comprehensive interdisciplinary analysis are analysed. In the author's opinion, the most important and original publications are those containing a comprehensive and sectoral assessment of the spatial management system from the perspective of one discipline.

Selected problems of the spatial management system in the Polish People's Republic (before 1989)

The spatial management system in the years 1944–1989 in Poland was subject to numerous changes. The key provisions for spatial planning and development after 1944 can be classified in the following way (Table 1):

In the 1940s, spatial planning was considered as separate, but simultaneously inseparably connected with economic planning (as understood at that time, i.e. in the communistic, economic, and political-system vision). The latter was to demonstrate to the “national propriety” (before 1989) goals and means of implementation, as well as to spread the processes over time. Spatial planning, in turn, was only about answering the question “where?” In the literature on the subject from the 1970s and the 1980s, there were more in-depth assessments of the spatial solutions of that time, although in line

Table 1. Changes in the spatial management system in the Polish People's Republic (1944–1989)

Year	Characteristics of regulation
1946	Poland's act on spatial planning was passed, containing a three-tier planning system based on plans created at the national, regional, and local levels. The planning structure was hierarchical and there was an obligation to adopt local plans at the local level (which was periodic).
1961	The act on spatial planning was passed, introducing a uniform planning system. Spatial and economic planning was reflected in the requirement to incorporate economic plans into spatial plans and align the target periods of spatial and economic planning. Investments had to be coordinated with the state of spatial development. The three-tier approach to plans was maintained as well as their timeline. Meanwhile, the scope of social discussion on spatial planning was limited.
1970	Several changes were introduced, including the possibility of drawing up simplified spatial development plans for rural communes as well as defining new urban standards for residential areas in cities.
1984	Another act on spatial planning was passed; it introduced a wider protection of agricultural and forest land, limiting the possibility of developing areas not covered by plans. Local plans were divided into general and detailed. Plans for functional areas were also introduced.

Source: Own study.

with earlier approaches (see Secomski, 1966). When performing one of the most comprehensive analyses of spatial planning during the Polish People's Republic, Nowakowski (2013) drew attention to the specificity and differences of the conditions at that particular time. He also pointed out that since the 1970s, a gradual scientific development of issues related to spatial planning has been noticeable. The issues most frequently appearing in the analysed context are indicated below, along with the references of individual authors with regard to tools of spatial policy. These are the following:

- no actual application of local plans (first-stage plans at first and then detailed ones), so a significant part of them was of limited effectiveness, or even “on paper only” (Malisz, 1981; Pańko, 1978);
- frequent changes to the formula of plans (Mrzygłód, 1971);
- insufficient flexibility of plans and the lack of actual integration of development policy tools, as well as the need for independence of local authorities (Malisz, 1984; Jakobsche, 1985; Pańko, 1978);
- a threat related to spatial conflicts (Secomski, 1972; Regulski, 1982);
- the lack of sufficient solutions guaranteeing an effective environmental protection linked

to both industrial and individual activities (Kozłowski, 1983).

In retrospect, it can be seen how some problems diagnosed at that time were resolved eventually (for example by adding provisions guaranteeing a wider protection of the environment and nature). Nevertheless, the problems that occur today are also noticeable. They come down to the need to ensure the effectiveness of the implementation of planning provisions (especially in the field of realisation), as well as ensure the flexibility of spatial planning and an effective resolution of spatial conflicts.

Selected problems of the spatial management system in European countries

The issues related to Poland's spatial management system should be related to the spatial management systems in European countries in the same period, i.e. 1944–1989. The literature of both topics is extensive. In this article, its review is intended only as a reference for the following parts. Therefore, only those publications that provide a comprehensive assessment of spatial management systems are included. Nevertheless, in this case,

one has to be cautious with far-reaching analogies. Newman and Thornley (1996) differentiated families of spatial planning systems, distinguishing between British, Germanic, Napoleonic, and Scandinavian ones. The differences boil down to, among other things, the role of local plans (sometimes they are typically regulatory acts, while sometimes only coordinating acts), the degree of detail in generally applicable regulations, and the interdependence of various public authorities. This classification must be subject to numerous additional reservations (Zakrzewska-Półtorak, 2016) and to the dynamics of changing conditions. In the literature on the subject devoted to this issue, the fact of differentiating countries not only from the perspective of the political system but also taking into account the economic, cultural, and social conditions is explicitly noted (Reimer, Getimis, & Blotevogel, 2014; Booth, Breuillard, Fraser, & Paris, 2007; Nadin & Stead 2008; Nadin, 2012; Reimer & Blotevogel, 2012). A simple juxtaposition of formal and legal solutions is also problematic (e.g. comparing local plans in different countries), as a simple action in this area carries the risk of major simplifications.

Considering the above barriers, it is worth enumerating the key problems and challenges related to European spatial management systems that are highlighted in the literature on the subject. In this context, in many cases, attention is drawn to the fact that spatial-policy tools are not fully effective in dealing with the expansion of settlement and the phenomenon of urban sprawl (Blotevogel, Danielzyk, & Münter, 2014; Geppert, 2014). The scale of this problem varies – sometimes it is related to the statement of spatial chaos, while at other times, it refers only to providing the developed areas with a new function (Blotevogel, Danielzyk, & Münter, 2014). Another recurring issue is spatial conflicts and the not fully defined role of individual actors (Nadin & Stead, 2014; Maier, 2014). Attention is also paid to the problem of the effectiveness of individual planning regulations, especially local plans.

In this context, one can also differentiate the most important challenges and directions of changes that are being discussed with regard to European spatial management systems nowadays. These are:

- the issue of further Europeanisation of spatial policy, also translated into local planning (Reimer, Getimis, & Blotevogel, 2014; Davoudi, 2016; Cotella, 2018);
- the issue of combining the local planning with development policy, ensuring that local planning is correlated with various other spheres (also sectoral) (Dimitrovska-Andrews, 2016; Dovenyi & Kovacs, 2016; Nadin, Stead, Zonneweld, & Dąbrowski, 2018);
- the use of more and more developed informal institutions in spatial policy (Blotevogel, Danielzyk, & Münter, 2014);
- the development of participation and monitoring in spatial management systems (Geppert, 2014; Lingua & Servillo, 2014; Nadin & Stead, 2014; Stead & Nadin, 2011);
- developing an optimal planning style (Reimer, Getimis, & Blotevogel, 2014; Maier, 2014; Nadin, Stead, Zonneweld, & Dąbrowski, 2018).

Assessment of the spatial management system in Poland in the 2000s – classification of the literature on the subject

The reference point for the selection of literature on the subject in this article is the Act of 2003 on Spatial Planning and Development. Of course, the “spatial management system” is a much broader concept, covering various processes, not only those related to specific legal regulations. Nevertheless, in the current formula, it is the poorly designed regulations that reflect the weaknesses of the entire system most visibly. The literature from 2010–2020 was considered. Critical analyses had appeared earlier (at least since 2005), but a longer time is required to prepare the more comprehensive ones, i.e. those associated with data collection and

observation of specific processes. It is not about presenting all the publications (or their mutual evaluation) at the indicated period of time.

The basic classification of publications containing an in-depth assessment of the spatial management system should be made. The author of the article distinguishes it as follows:

- a) comprehensive interdisciplinary studies containing analyses and conclusions related to the entire spatial management system;
- b) analyses covering the entirety (or majority) of the spatial planning system, but from the perspective of one discipline only;
- c) analyses covering selected spheres/problems in the spatial management system.

So far, no such classifications have been carried out in the Polish literature. Other classifications are also possible, e.g. tailored to specific thematic issues. However, this one is optimal from the point of view of the goal of this article.

Comprehensive analyses of the spatial management system in Poland in the 2000s

First, the focus was on analyses directly relating to the spatial management system (point *a* in the previous section). Reference should be made to the assessments contained in the Concept of Spatial Development of the Country (*Koncepcja Przestrzennego Zagospodarowania Kraju*, 2011). Without a detailed analysis of this document, one should pay attention to its objective No. 6 – namely “restoring and consolidating the spatial order”. In the light of problems such as excessively chaotic and expansive buildings, the exclusion of a significant part of land from use, low quality of public spaces, and gaps in the planning acts system, the authors of the Concept are certain that there is a need for a comprehensive reform of the spatial management system (conclusions contained in the stance of the Main Committee on Urban Planning and Architecture [Pol. *Główna Komisja Urbanistyczno-Architektoniczna*] of November 26, 2010, were similarly formulated). In the first report prepared

in the analysed period, Olbrysz and Koziński (2011) drew attention to the costs of uncontrolled urbanisation as the basic problem of the spatial management system, indicating that the costs associated with designating too large areas for housing development in local plans amount to 129 billion PLN. In turn, Kowalewski et al. (2013) found the existence of a long-term crisis of spatial management in Poland. In their opinion, spatial planning does not fulfil its role, because it does not effectively regulate the settlement, urbanisation, and investment processes. On the one hand, the key problems include insufficient planning coverage of the country (especially in large cities and transport corridors), while on the other hand, they revolve around the adoption of local plans for areas with limited investment and areas for which development is unrealistic. In addition to the costs related to the excessive allocation of land in local plans for housing development, the authors drew attention to, among other things, the costs of damage to buildings and technical infrastructure, the maintenance costs of technical infrastructure, as well as the costs of commuting and the “speculative bubble” on the real estate market. Therefore, they recognised “the monitoring of urbanisation processes” as a key element in changing the system. One can also cite here cyclical analyses of the state and conditions of planning work in communes, which in 2012 were included in a compact publication within one year (Śleszyński, Komornicki, Solon, & Więckowski, 2012). Based on comprehensive analyses of conditions related to the conduct of spatial policy, the authors indicated that the planning system does not ensure the protection of the spatial order, and the procedures related to the work on planning acts are too slow. They suggest restoring large-area local plans with simplified requirements, or increasing the role of studies on the conditions and directions of spatial development as the directions of solutions. The continuation of all included threads was part of the report on spatial chaos. In its synthesis, Śleszyński, Kowalewski and Markowski (2018)

confirmed and refined (based on a much broader research material) earlier diagnoses about the costs of spatial chaos, simultaneously indicating that they amount to 84.3 billion PLN annually for the whole country. Among the postulates related to the system reform of spatial management, the authors pointed to the need to ensure equal access to spatial resources. This includes, among other things, a coherent system of praxeological and regulatory planning, a reform of public institutions, and wider protection of the spatial order. Besides, a reference was made to another team's study, postulating the creation of integrated development planning (Markowski & Drzazga, 2015), which included, among other things, postulates for a wider protection of the existing land use and land development, adopting local plans for areas constituting a functional whole, a rational tax system and fees related to spatial planning, and limiting the role of administrative decisions in the spatial management system.

Thus, comprehensive and interdisciplinary analyses are mutually convergent. They contain in-depth research leading to comprehensive conclusions as a basis. From the formal and legal perspective, they do not resolve any doubts (related to whether and how individual proposals can be implemented). Nevertheless, their key value is a detailed demonstration of those fundamental problems in the spatial management system that need to be counteracted.

A completely different role is played by comprehensive analyses (prepared from the perspective of one discipline only) of the spatial management system (i.e. analyses included in point *b* of the classification in the previous subsection – this group also includes comprehensive analyses of the conditions for the operation of local government units or public authorities, covering the sphere of the spatial management system, and also comprehensive drafts of new laws). The condition for including publications in this group is a reference to the entire spatial management system, and it being related to its assessment (therefore, comments to the act

on spatial planning and development were not included in this group). One of the key views was expressed (in a series of publications) by Markowski (2010). The author associated spatial planning with the theory of imperfect markets. Considering the context of public interest (related to public goods) and distinguishing the problem of urban sprawl, the author emphasised the need for a broader integration of development policies as well as flexibility in planning. The conclusions by Drzazga (2018) are similar, as this author indicates that systemic solutions in planning must be preceded by an assessment of how the chosen intervention methods will affect the activities of economic operators (solutions to the problem of the inefficiency of public authorities in the spatial management system are also included here (see Nowak, 2017)). In turn, Parysek (2017) enumerated eleven weaknesses of the Polish system of spatial planning, among which special attention should be paid to non-conceptual and non-systematic selectivity, formalisation, particularism, and improvised actions. It is worth comparing these theses with the comprehensive expertise of Wierzbowski (2014), who highlights in detail inconsistencies in all regulations related to the spatial planning. Some positions contested not so much the regulations in force as the way they were applied (Ney, 2011). From a similar perspective, foreign authors recognise that the most problematic elements of the system are about too many decisions on building conditions as well as too weak social participation in planning processes (Cotella, 2014). It is also possible to distinguish analyses which translate – as in system reports – the diagnosed problems into the scope of the protection of the spatial order (Zawadzka, 2017). The solutions to the above problems vary. While there is no doubt about the effective power of merely changing the regulations, proposals for bigger changes in the scope of competences of individual public administration bodies can be found (Gorzym-Wilkowski, 2017). From a legal perspective, Izdebski (2013) called for a redefinition – especially concerning the current

regulations – of the right to the environment, the right to housing, the right to the city, and the right to good space. Comprehensive (and staged) legal changes were proposed by Zachariasz (2015). They would include a broader (more in-depth than currently) balancing of interests in planning, the introduction of the principle of implementation of settlement projects in already built-up areas, the replacement of the current compensation rules related to the adoption of local plans with general principles contained in the Civil Code, the removal of the decision on development conditions, and carrying out a comprehensive verification of approved local plans. The proposal also includes the introduction of specialist acts, thus modifying the formula of the current special acts.

Analyses concerning specific sectors in the spatial management system

Analyses covering selected sectors related to the spatial management system should be presented separately (a classification proposal is included below). There are more of these types of studies previously mentioned. The degree of development and their substantive value also vary. This article is not about a comprehensive list of these publications or about selecting the most valuable ones. Publications dealing with individual problems were also omitted. In this case, the point is to present the direction of the debate on the spatial management system with the help of specific examples. The focus was on publications that deal with the sector more extensively (i.e. in monographic terms). Here, one can distinguish:

- legal analyses;
- analyses conducted as a whole from one perspective, different from the urban and legal sphere;
- interdisciplinary analyses.

Assessments of a specific sector or a wider issue of the spatial development system from a legal perspective are usually included in publications aimed at a comprehensive analysis of the institution. The consequence of such an analysis is the formulation of specific diagnoses. These can be formal and technical diagnoses

(Rokicka-Murszewska, 2019), diagnoses which include the role of administrative courts (Dziedzic, 2012), or diagnoses relating to topics important from the urban perspective. Examples of important issues taken up within various disciplines include public interest (Woźniak, 2018), the scattering of buildings (Bąkowski, 2018; Fogel et al., 2014), social participation (Szlachetko, 2017), or the role of special investment laws also in the spatial management system (Bąkowski, 2020). A broader monographic approach also makes it possible to refer to the urban perspective, detailed to varying extents. The strongest advantage of this type of publication is the diagnosis of specific weaknesses of individual spheres of the system from the legal perspective, along with the indication of the directions of solutions. It is also important to present a formal and legal framework in this respect, which would be difficult to cross under any reforms. A weaker element is the lack of full intuition (despite making every effort) of the overall conditions related to the urban perspective (which, on a side note, is not an objection to specific authors, but, rather, a natural consequence of representing a specific discipline).

It is also possible to distinguish comprehensive analyses related to the spatial management system, also representing other thematic spheres. Among them, one can acknowledge those related to the economic consequences of urban development (Budner, 2019; Lityński, 2019), environmental protection (Chmielewski, Śleszyński, Chmielewski, & Kułak, 2018), nature protection (Giedych, 2018), monument protection (Tomczak, 2018), real estate appraisal (Krajewska, 2017), or the sphere of public policy science (Anioł, 2019; Zybala, 2019). Such analyses contain valuable diagnoses related to the undertaken areas, very often pointing to negative practices and their consequences. However, the proposed conclusions do not always fully comply with the legal framework – both the one in force and the one possible to develop.

Interdisciplinary analyses usually include a specific (important from the perspective of the spatial management system) issue from the

perspective of a variety of authors, also representing different disciplines. In such cases, however, the problem lies in the lack of the sufficient coordination of the arguments put forward. The optimal direction seems to be a better combination and unification of these perspectives; attempts in this regard have already been made by Nowak (2020) as well as Nowak, Śleszyński and Ostrowska (2020).

Problems and challenges of the Polish spatial management system – compilation and comparison

Based on the conducted analyses, the problems and challenges concerning the spatial management system that are currently being diagnosed in the literature on the subject have been compared with the problems and challenges identified

in the literature on the subject in European countries, as well as the literature on the subject in times of the Polish People's Republic.

Table 2 shows that despite differences, some similar diagnoses can be found in each case. One can consider the correctness of the assumption that the spatial management system (considering historical and social conditions and differences, etc.) was less developed with regard to the current system in Poland. On the other hand, the solutions adopted in some Western European countries can be considered as much better-prepared than in Poland (the basis for such a thesis lies in the enormous spatial chaos which generates serious costs, which was indicated in the Polish literature on the subject to a much greater extent than in other countries). With the full awareness of the need to nuance such an approach, it can be assumed that in the analysis of all cases (i.e. Poland's spatial

Table 2. Key problematic issues concerning the assessment of the spatial management system in the literature on the subject

Selected literature on the determinants of spatial policy in		Literature on the subject concerning the contemporary system of spatial management (in Poland since the 1990s)	
European countries (currently)	Polish People's Republic (1944–1989)	Comprehensive approach	Sectoral approaches
<ul style="list-style-type: none"> – problems with shaping the spatial settlement policy by tools and solving problems caused by urban sprawl; – effective development of functions of specific areas; – the development of informal institutions; – combining spatial policy/urban planning with (economic) development policy; – optimal role of individual actors in spatial policy; – the development of social participation and monitoring in spatial policy. 	<ul style="list-style-type: none"> – no application of local spatial development plans; – lack of planning flexibility and integration with other spheres of development; – the problem of spatial conflicts; – spatial planning versus environmental protection. 	<ul style="list-style-type: none"> – costs of uncontrolled urbanisation and spatial chaos; – the lack of a proper regulation of settlement processes by spatial-policy tools; – weak legal regulations; – poor social participation; – serious spatial conflicts; – the lack of a sufficient integration of development spheres. 	<ul style="list-style-type: none"> – the ineffectiveness of specific solutions, e.g. in the field of planning fees, forms of nature protection, or the protection of monuments and cultural heritage; – the lack of integration of different points of view in the spatial management system (in particular the lack of connection between the legal and urban spheres); – the lack of an adequate definition of the public interest in the spatial planning system.

Source: Own study.

management system before 1989, after 1989, and spatial management system in European countries), attention was paid to similar issues. It is necessary to distinguish the following: the context of limiting spatial conflicts (which can also be understood as a broader diagnosis of individual actors' role in the spatial management system), limiting urban sprawl, integrating spatial policy with other development policies, and deepening the social participation. Therefore, it can be assumed that the indicated problems constitute a broader challenge that cannot be fully resolved by means of a specific planning practice, and even less by means of specific legal regulations. It seems important to respond flexibly to the emerging challenges, which should be facilitated by informal institutions in planning (for more on this subject, see also Mikula, 2019) as well as by increasing the emphasis on the need to use methods related to co-management in the spatial management system (these, however, are included in certain bases, guaranteeing the protection of the spatial order).

The list of key diagnoses of the Polish spatial development system leads to several conclusions. In the years 2010–2020, comprehensive analyses covering most scientific disciplines were carried out. The costs of spatial chaos, legal inconsistencies, as well as environmental, natural, and cultural needs were diagnosed in detail. As a rule, most of the conclusions of such analyses are mutually consistent and compatible. On the other hand, the key postulates relating to the optimal directions for further analyses include:

- a better interdisciplinary connection and coherence of the expressed assessments, as only this guarantees the effectiveness of solutions implemented in practice;
- a link between scientific research and practical action. In various spatial management systems in Europe (e.g. France and the UK), it is solved in a much better way than in Poland. In the Polish system, despite some formal possibilities, the link between science and practice is still too weak;

- a wider consideration (and adaptation to the spatial management system in Poland) of the experiences of Western European countries. In this case, it is not about copying all solutions, but, at least, about expanding the discussion on informal institutions and models of social participation (as indicated above – also a wider implementation of concepts related to public co-management), and even about a more detailed consideration of individual conditions for the integration of development policies (which is strongly associated with an interdisciplinary approach to analyses).

Concluding remarks

The postulated directions for further research and analysis should be derived from different perspectives and in various ways. There is no doubt, however, that at the present stage, many comprehensive and sectoral diagnoses have already been developed and – if the legal and socio-economic conditions do not change radically – there will be no need to prepare further ones (the COVID-19 pandemic can be an element partially affecting the spatial management system, but it does not necessitate the extensive modification of previous conclusions, e.g. those concerning the costs of spatial chaos, or a wider emphasis on selected issues related to green infrastructure, energetic transition, transport, or the development of public spaces).

Obviously, the problem lies in implementing the proposed directions of changes (both at the national and regional levels as well as in local planning practice). There is a serious risk that the diagnosis will continue to receive limited response from public authorities at various levels. However, this must not be a reason to call into question the purposefulness of discussions and analyses. Apart from the issues already pointed out, it seems crucial to base local spatial policies on analyses. These analyses should also be carried out on the local scale, but the above-mentioned publications should inspire them. These publications

are currently rarely noticeable (which is also a separate problem of the spatial management system) and less often used in specific activities. It is also important and necessary to implement the latest public governance concepts to spatial management systems.

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