

EXECUTIVE SUMMARY

Microplan in light of a model of a local spatial development plan

The aim of the dissertation is to comprehensively examine the issue of a microplan of spatial development, as a new significant tendency occurring in the practice of Polish municipal authorities.

As a first step, I present briefly the phenomena of adopting microplans by municipalities, in place of a local spatial development plan covering a larger area. Then, I describe representative examples of the microplans, adopted or planned to be adopted for the territories of Poznań and Warsaw, including a surface of the area covered by a given microplan and purposes of their adoption declared by the authorities. Consequently, my aim is to identify some specific features of a microplan.

To understand and describe precisely the specific character of a microplan, I carry out a precise comparison of legal nature of a microplan with a general construction of a local spatial development plan. At the beginning of this part of dissertation, I reconstruct the legal views presented by the legal doctrine and the jurisprudence regarding the concept and legal character of a local spatial development plan, focusing on a dispute whether the plan (i) is a normative act itself (materially) or (ii) is some kind of an individual administrative act of multiple application, becoming a normative act only as a consequence of the lawgiver's decision.

Subsequently, I examine whether the idea of a microplan corresponds with the above-mentioned views on a construction of a local spatial development plan, in other words whether it is also an individual act (administrative act) of multiple application or a normative act (depending on the accepted view), or whether there are some features of a microplan that decide that its legal character is different.

After presenting a theoretical perspective, I focused on a model of a local spatial development plan resulting from the Act on spatial planning and development, including the clue features described by the lawgiver in the Act (the spatial order and the sustainable

development), the course of the proceedings of a plan's adoption, as well as authorities' special duties arising from the Act and connected with the concept of a "planning self-governance".

Then, the concept of a microplan is examined in light of the findings described in the previous part of the dissertation, i.e. with a statutory model of a local spatial development plan. The aim is to find out whether a microplan is (or can be) compliant with the statutory requirements set out in the Act on spatial planning and development.

Furthermore, as a summary, I present possible consequences of applying a microplan by planning authorities; then, there is a description of the position of a microplan in light of other possible planning measures that can be introduced by the lawgiver. In my opinion, interesting solutions can be found in Polish former planning provisions, as well as in foreign planning systems where the spatial order is of a high value. On the other hand, I present in context of a microplan relevant provisions of the Urban and Building Code planned to be adopted in Poland in the future, as well as specific rules of municipality's resolutions on location of housing investments provided by the Act of 2018 on facilitating the preparation and implementation of housing investments and accompanying investments (so-called special law for housing investments).

Key words: spatial planning and development, bye-laws, local plan of spatial development, microplan of spatial development, planning norm, spatial order, sustainable development, decision on land development and management conditions, spatial self-governance.