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## DESIGN GUIDELINES AND ARCHITECTURAL SINCERITY

The manuscript presents examples of design guidelines, which should be important factors for shaping spatial order, but sometimes their correctness is being questioned. It happens that incorrect guidelines do not fulfil their role, and thus they lead to the creation of insincere architecture, which ignores the context, and buildings that degrade the space.

**Keywords:** planning guidelines, contemporary architecture, spatial order, spatial chaos

### 1. FOREWORD

The political transformation at the end of the 20th century was a period of not only economic and social changes. At that time was initiated also a number of transformations regarding the physical planning. However, breaking with the principle of central planning escalated the spatial crisis that led to architectural and urban chaos in many areas of the country. It happened despite the implementation of new regulations and administrative acts. The most important were local spatial management plans and decisions on land development conditions as an auxiliary and complementary element. As a result, when the Act on spatial planning and development in 2003 was adopted, all local plans that were in force before 1 January 1995 were repealed. Due to lack of other regulations<sup>1</sup> these

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<sup>1</sup> According to the report of the Supreme Chamber of Control in 2016 only 30% of Poland's area is considered in the local spatial development plans [NIK 2016].

plans took over the role while granting the decisions on land development conditions<sup>2</sup>. Currently there is a main administrative act that is a foundation for design guidelines for the implementation of construction investments in Poland. This is related to the fact that issuing a decision on land development conditions is cheaper and takes less time compared to adoption of local spatial development plans that are time-absorbing and not always good for municipal budgets. Such state of affairs is often criticized. Jeżak and Wierzchowski argument that “due to the lack of regulations on spatial planning – a institution of decisions on land development conditions often impairs the spatial order rather than enables a rational development” [Jeżak, Wierzchowski 2014: 28], it also shall be mentioned that 2003-2015 nearly 3 million such decisions were granted [Śleszyński 2018: 39]. The authors of PAN report “Study of spatial chaos” from 2018 “came to the conclusion that vitiated, wrong formulated law regarding human activity in space is a main source of various conflicts, tensions, dysfunctions etc. that led to spatial chaos (disorder) with huge social costs and environmental and economic losses” [Śleszyński, Markowski, Kowalewski 2018: 9]. 2016 the Supreme Chamber of Control also raised this question. In the report *System gospodarowania przestrzenią gminy jako dobrem publicznym. Informacja o wynikach kontroli NIK* (*Space development system of a commune as a public good. Information on the results of a control performed by the Supreme Chamber of Control*) the authors note “that the operating planning and spatial development system does not ensure a rational spatial development as a public good” [NIK 2016].

This article presents examples of design guidelines that should be acts to develop the spatial order, however they correctness is questioned. It also presents effects of defective design guidelines that instead of fulfilling their designated role lead to insincere, context ignoring architecture and buildings that degrade the space. It also includes postulates and ideas to eliminate the incorrect planning recommendations and improve the spatial order.

## 2. CHAOTIC DESIGN GUIDELINES

Today the design guidelines are important not only for spatial planning but also for economics, ecology or shaping social behaviour. Because of that they become a cause of conflicts related to presence of various interest groups that try to adopt regulations beneficial for them. Starting from farmers who want to transform their fields into plots, through investors for strive for guidelines that enable them to con-

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<sup>2</sup> According to the information in PAN report *Studia nad chaosem przestrzennym* (*Study of spatial chaos*) half of the construction investment is implemented based on the decision on land development conditions [Chmielewski, Śleszyński, Chmielewski, Kułak 2018: 393].

struct the largest buildings on the areas with the lowest number of soft landscape area or parking spaces and officers who sometimes care more about the investment than among others about the social goods and environmental protection, ending with the residential for who both above mentioned elements are necessary for peaceful, comfortable existence. As a result, the common good often plays a secondary role. The mentioned conflict is often noticeable already during the adoption of planning documents. Clashes between the interest group, when one strives for an income and the other for fulfilling the needs of residents, are very common. 2017 when there was a conflict in Konstancin-Jeziorno, the residents tried to reject the local plan issued for new multi-family buildings, the mayor explained the adoption of plans with the argument that they are necessary to prevent the chaotic development of the city. He spread the visions of the developers who get the guidelines anyway, so it would be better if they get them based on the local plan than land development conditions, while city councillors admitted that too much pressure was put on them during the procedure [Chmielewski 2017]. Finally, the adoption of the plan was postponed. However, we can see examples of such antagonism in whole Poland. Research conducted by Chmielewski, Śleszyński, Chmielewski and Kułak confirms, “that more than 60% of the citizens of Poland live in landscapes with significant increase of conflicts under pressure of spatial disorder with reduced or degraded development and aesthetic values” [Chmielewski, Śleszyński, Chmielewski, Kułak 2018: 379]. Maciej J. Nowak notices, that “the unclear criteria for determining the land development conditions cause that can be observed a far-reaching pressure of investors for issuing a specific decision and a far-reaching discretions of the authorities while issuing these decisions” [Nowak 2018: 49]. At the same time he indicates the lack of clear regulations for issuing decision on land development conditions. “Much depends on more or less accurate interpretations by the municipalities themselves” [Nowak 2018: 56]. However, very often the local authorities unfortunately “adapt this planning instrument to specific circumstances, ideas or pressure of the investors” [Nowak 2018: 56]. It is confirmed by among other reports of the Supreme Chamber of Control that 2016 analysed space management system. An audit of the process of issuing the design guidelines in 2010 in Tomaszów Mazowiecki showed a number of irregularities, like unequal treating of investors and frequent exceeding the terms for issuing the decision on land development conditions. However, the most controversial was the issuing the decision of land development conditions for the shopping center ul. Barlickiego. It was issued despite the fact “that the Self-government Appeal Court in Piotrków Trybunalski announced twice the nullity of the previous decision which in the opinion of the Supreme Chamber of Control should be regarded as a disregard for applicable law” [NIK 2010: 23]. Despite the similar location and situation of the investors also opposite decisions were formulated. For example, in the case of new buildings at ul. Wola Wiaderna. Self-government Appeal Court in Piotrków Trybunalski stated “that in this situation arises the question of constitutional principle

of equality of citizens towards law and the decisions shall be the same in similar legal and factual situations” [NIK 2010: 28].

The differences in the interpretation of regulations by different authorities and resulting conflicts were also observed in Warszawa in 2017. The conflict concerned the development of a square at ul. Szara, and above all the fact that the officers from the Śródmieście district issued the land development conditions despite three negative opinions of the municipal authority [Wojtczuk 2017].

Another interesting situation was also in 2017 in Kraków, where officials issued the land development conditions for an office building 48 meter high that was to be built at Młyńskie roundabout. The controversial decision was adopted a day before a local spatial development plan came into force. According to this plan, in this area should be built three times lower buildings. This situation drew attention of District Prosecutor’s Office in Kraków, Central Anticorruption Bureau and Supreme Chamber of Control. As indicated *Gazeta Krakowska*, the application of the investor for the construction of an office building 48 meter high was initially blocked by the president of Kraków, but later the officials reporting directly to the president approved the building with the suggested height. “On the one hand, the president, with the hands of his officials, does not agree to high-rise buildings, and on the other hand he allows it – with the hands of the other officials” [Ogórek 2017].

These and other conflicts result from imprecise law. Regardless of the motivations and actions of officials, there is also a huge space for abuse by the investors themselves. They take advantage of the fact that offices, due to imprecise law, usually do not refuse issuing the decision on land development conditions, so it is usually better solution for investors than more detailed and restrictive local spatial development plans. Therefore, they sometimes take action to block the adoption of plans. Sometimes the developers even purchase neighbouring plots to become a party in the administrative procedure for issuing a decision on land development conditions and to avoid the participation of third parties.

### 3. INSINCERE ARCHITECTURE

All the situations described in the previous chapter, together with the limited aesthetic awareness of the society and officials cause that in Poland are constructed buildings that increase the spatial chaos. Such decisions are made in the light of the law, based on the administrative decision that should promote the spatial order.

In many cases, spatial problems are caused by issuing permission for construction of scaled buildings which form does not correspond with the surroundings. An example of such action is the construction of a residential building with fourteen floors in a small town Zieleniec in Góry Orle that consisted so far of buildings with

several floors. The building is constructed in accordance with the law based on a decision on land development conditions from 2019.

Also, decision of the authorities in Rzeszów in January 2020 caused protests of the residents. They allowed the construction of the highest building in the city, skyscraper 120 meter high, in Nowe Miasto settlement, where live 4000 people.

It also happens that the officials issue the decision on land development plan for buildings that do not correspond to the surroundings, as in the case of a phone mast 40 meter high that was to be erected next to Etnograficzny Park in Tokarnia, Kielce.

In 2017 also famous was the case of blocks in Skawino, when the developer using gaps in the law built 7 apartment blocks instead of 37 single-family houses [Bieniek 2018].

The unsuccessful projects also include the huge, orange, and yellow building of the Oncology Center in Lublin, which dominates and degrades the urban space.

Unfortunately, ugly buildings are also built on behalf of the officials. An example of such a building may be the Commune Office in Ostrołęka which construction costs and aesthetic raise considerable emotions. It is also a sad example of skills of some architects in Poland.

During the long discussion about the “Czarny Kot” building in Warsaw which degrades the space come to light all weaknesses of spatial planning, architectural design, and construction supervisory in Poland. The building, demolished in 2020, was an example of evading the law. What is interesting, the owner tried to legalize many extensions and reconstructions by applying for land development conditions to extend a four-floor building to eight floors. She wanted to take advantage of a fact that a higher building was built in the neighbourhood. By the way, the former chief architect of the city Michał Borowski said that: “the law is so liberal that everything can be built in Warsaw. Volume and function of a building are considered when granting the permission. Aesthetic is not important” [Górecka-Czuryłło 2008]. At the same time, the mayor of the Wola district, Marek Andruk, admitted in 2008 that the district authorities did not have much influence on what was built in its area [Górecka-Czuryłło 2008].

The popularity of Makabryła competition, organized in the form of an on-line plebiscite since 2007, also indicates the quality of buildings and structures constructed on the basis of the design guidelines.

Among the winners of this anti-ward is an ugly and spider-like lookout tower in Gorzów Wielkopolski erected in the vicinity of the historic Biały Spichlerz.

2011 the award won a cheesy reconstruction of Art Nouveau house in Mława.

2013 Makabryła was given to a new building of the main station in Poznań that appeared impractical, ugly (far from quite good visualisation), made of low quality materials and too small. Many residents of Poznań call it an extension to the huge shopping centre.

Especially adverse effect on the spatial order has the 2015 winner – Liwa shopping center in Kwidzyn that surrounds two previous buildings in this area. New and old objects have extremely different forms and do not correspond to each other.

After the controversy regarding the extension of Monte villa in Zakopane that was the winner of the competition in 2017 despite it was not completed, Makabryła plebiscite was suspended.

There are of course more similar examples of buildings degrading the spaces of Polish cities and villages. Particular attention is paid for buildings that do not match to the surroundings due to their too decorative style and too large volume, in particular insincere objects when the designers tried to copy the court or palace style without success. Here shall be mentioned hotels such as Venecia Palace in Michałowice near Warsaw, the Cztery Wieże in Katarzynina, or Europa in Opole, which is a completely unsuccessful attempt to “garnish” the large panel block. An emotional review and genesis of this phenomenon is presented by W. Hildebrandt [2018] who explains the whole phenomenon of architecture that not only do not correspond to the surrounding but even dominates it. Recently constructed castles and places are a clear example of spatial egocentrism.

The designs mentioned in this chapter unfortunately cause a long-term negative spatial effect and, due to the decisions on land development conditions, give a place for further failed investments. This is how the reality looks like after many years of neglect in developing the spatial law, the precision of its provisions and the possibility to enforce them.

#### **4. HOW TO SOLVE THE PROBLEM WITH DEISING GUIDELINES?**

The legal basis for developing the spatial space are local spatial development plans and decisions on land development conditions. The local plans are largely a consequence of continuation of solutions implemented before 1994 or acceptance of applications of the interest groups. Their purpose is most often either the change of land use to obtain more favourable sales conditions (conversion of agricultural land into plot) or to obtain entries that allow the construction of the most intensive and most profitable building. Due to the dispersed settlement development in the rural area that is developed since many years, it is not difficult to fulfil the formal minimum to issue the decision on land development conditions [Sołtys, 2018].

Based on the research conducted by dr M.J. Nowak, representatives of half of the surveyed communes recognized that the land development conditions are discretionary and “commune head/mayor/president” can freely determine them. At the same time he confirms that many decisions are “unclear, imprecise and introduces chaos to the spatial planning system” [Nowak 2016]. Therefore, many experts are “for removing the decision on land development conditions from the legal system” [Nowak 2016]. According to Chmielewski et al. “improvement of the order and physiognomy values of the area [...] requires thorough changes in the spatial plan-

ning system, transfer of modern knowledge about the landscape systems to local self-governments and planning staff, as well as many years of hard work. It is necessary to urgently develop and gradually implement the national landscape policy [...]. It is necessary to educate the society [...]" [Chmielewski, Śleszyński, Chmielewski, Kułak 2018: 396].

According to the authors, the starting point for development of an effective plan to solve the problem of spatial disorders shall be a detailed assessment of existing buildings which architectural and functional parameters should become the foundation of recovery plans. This approach is in line with the postulate of Śleszyński, Markowski and Kowalewski about the need to develop and implement a uniform and comparable monitoring system for spatial planning and development [Śleszyński, Markowski, Kowalewski 2018: 191]. In the study *Spójność przestrzenna na terenach podmiejskich aglomeracji poznańskiej*<sup>3</sup> (*Spatial coherence in suburban areas of Poznań*) are determined and assessed 16 elements characterizing the architectural form of buildings due to the impact on the spatial coherence. As a result of the survey were selected 6 architectural elements, which were considered decisive in this issue. These are: the height of the building, its location in relation to the road, maintenance of the building line, type and geometry of the roof, colours of the external walls and roof<sup>4</sup>. The purpose of a field study performed within nine municipalities in Poznań was the determination of the spatial coherence and architectural properties of buildings in a given area to identify coherent, partly coherent, and inconsistent areas. In the authors' opinion, they may constitute the basis for further work on developing plans and recovery plans for degraded space. This is confirmed by the designs of building based on the results of field research performed by the students of Faculty of Architecture Poznań University of Technology (Fig. 1 and 2).

Due to many years on neglect it is sure that there are places where no research approach will allow to determine clearly, which architectural features will help to achieve a satisfactory spatial effect in the future. Therefore, it is necessary to make arbitrary decisions, considering the expert opinions, at least in the field of architecture and environment. Interest and preferences of many persons in an area such as village or district may be reconciled only with the participation of the local community that will be educated in terms of consequences and benefits of correct spatial planning.

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<sup>3</sup> Study of spatial coherence within Poznań agglomeration, 1. and 2. stage performed in 2019-2020 by dr inż. arch. Piotr Zierke and dr inż. arch. Joanna Kołata.

<sup>4</sup> The detailed description of the study can be found in the article *Badanie spójności przestrzennej w gminach podmiejskich aglomeracji poznańskiej na przykładzie Lubonia* (*Study of spatial coherence in suburban communes of Poznań agglomeration on the example of Luboń*) published in magazine *Space – Society – Economy* 2019, no. 27.



Fig. 1. Proposal for forms of residual buildings complementing historical buildings in Puszczykowo, prepared as part of field classes at the Faculty of Architecture Poznań University of Technology under the supervisory of P. Zierke, J. Kołata [author: K. Perliński]

Additionally, the introduction of local studies with design samples and characteristic of local architecture, not only contemporary but also historical, shall help develop more conscious architecture. At this moment, the participants of planning and design processes do not have sufficient knowledge in this scope and design or permit the construction of random buildings, as long as the minimal and too low requirements of architectural form are met.





Fig. 2. Proposal for forms of residual buildings complementing buildings in Suchy Las and Rokietnica, prepared as part of field classes at the Faculty of Architecture Poznań University of Technology under the supervisory of P. Zierke, J. Kołata  
[author: M. Wojtkowiak, P. Spryszak]

## 5. SUMMARY

The complicated spatial situation caused by the free interpretation of the law is unfavourable not only due to its strong impact on all aspects of the functioning of the village, commune, and city. Despite various and long research on this phenomenon, the process of space degradation is still ongoing. Almost complete freedom in designing new buildings causes that only a few enthusiasts look for architectural identity of the region and create a sustainable and coherent space. However, since the law does not require the actual care for spatial order, most investors think that it is enough to select a building from a catalogue of popular houses. Almost in every place in Poland can be found buildings with form that shows the desire to step out the environment and dominate the space rather than stay in line with the surrounding. This is possible among other with the decision on land development conditions that allow the construction of pseudo-castles and palaces, as well as other scaled buildings with a random form “in the middle of nowhere”, in forest or close to single-family houses.

In the opinion of the authors, these processes cannot be stopped without consequent decisions on the planning and design process at the national level, as well as efficient construction supervision. Until this moment, sufficient must be the design guidelines that have to be explicit and actually based on the local spatial conditions, as well as have to respect the common good and not only the particular interests of the parties of the administrative proceedings.

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## WYTYCZNE PROJEKTOWE A SZCZEROŚĆ ARCHITEKTURY

### Streszczenie

W artykule przedstawiono przykłady wytycznych projektowych, które powinny być jednymi z najważniejszych czynników przeznaczonych do kształtowania ładu przestrzennego, ale czasami ich prawidłowość jest kwestionowana. Zdarza się, że wadliwe wytyczne nie spełniają wyznaczonej funkcji, co prowadzi do powstania nieszczerzej, ignorującej kontekst architektury oraz degradujących przestrzeń budynków.

**Słowa kluczowe:** wytyczne planistyczne, architektura współczesna, ład przestrzenny, chaos przestrzenny

