



MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT

Department of Land Management

Agricultural land protection in the spatial planning



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The legal acts

- **Act of 3 February 1995 on Protection of Agricultural and Forest Land**



- **Act of 27 March 2003 on spatial and land use planning**

Agricultural land protection is strongly related to the spatial planning.

How is the agricultural land protection implemented in the Polish law?

1) Limiting of agricultural land for non-agricultural purposes!



2) Preventing agricultural land degradation and devastation caused by non-agricultural activities and the movements of earth masses!



3) Reclaiming and managing the land for agricultural purposes !



4) A special protection of organic soils !

maintaining peat lands and small ponds as natural water sources



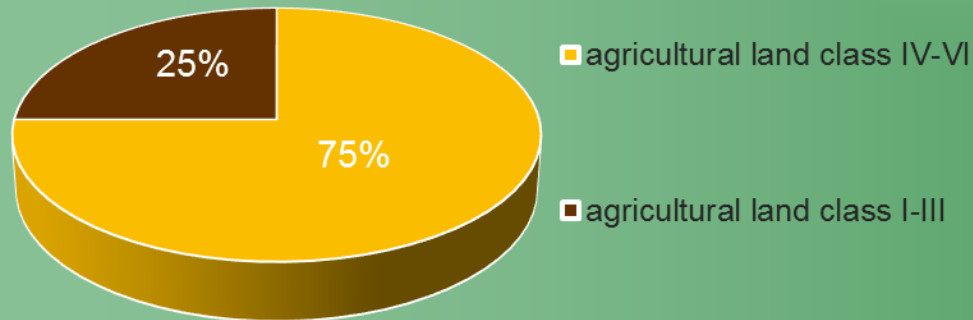
5) Limiting changes in a natural landform !



Polish soils clasification

In Poland, the value soil production evaluation is based on the class.

The percentage of agricultural land in the rural areas



There are six soil valuation classes from I to VI, when the highest quality soil I-III only about 25 % of the area of Poland (I-0,4 %, II-2,6 %)

Protection of agricultural land from urbanisation consists



Protection of agricultural land from urbanisation consists following matters:

- Firstly, limiting building on the best quality land (particular protection is extended over class I-III land where investment projects are carried out upon the Ministry of Agriculture and Rural Development permission);

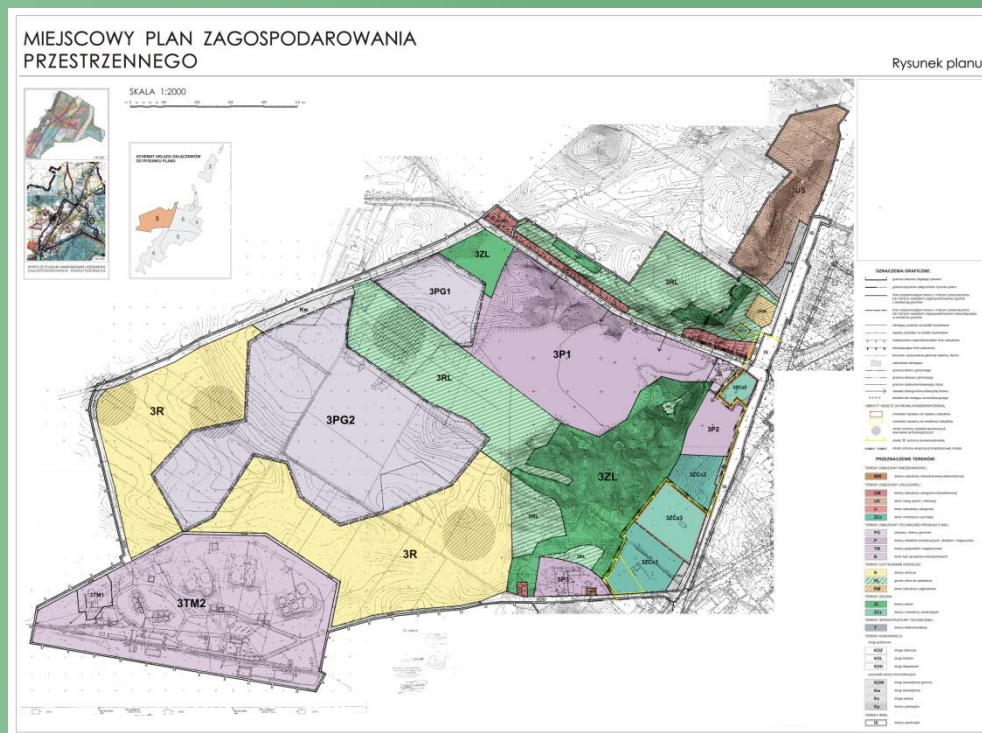
- Secondly, realise the building in urbanized land and do not to give the permission to invest in open agricultural areas (with the exception of public purpose investments, such as water supply, gas supply, public transport, etc.)



In Polish legislation on land protection there are two definitions in terms of this issue.

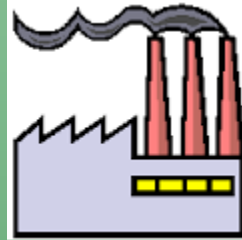
First definition:

Destination for non-agricultural purposes – it is closely related with spatial planning. First step of this process is to make the local spatial management plan and then if this plan includes (or covers) agricultural land being categorized as class I-III, it has to be sent to Minister of Agriculture and Rural Development to get his permission. Next, local authorities enact this document and then you have possibilities to use this area for investment, but till you don't do it, according to Polish law, it is still an agricultural land.



And second definition:

Land take (land consumption) – it means initiating land using in the different way than agricultural use. It happens before the construction permit is obtained but when you have a project of your investment prepared. The project is necessary to point out the area of “land take” which should be given in an administrative decision.



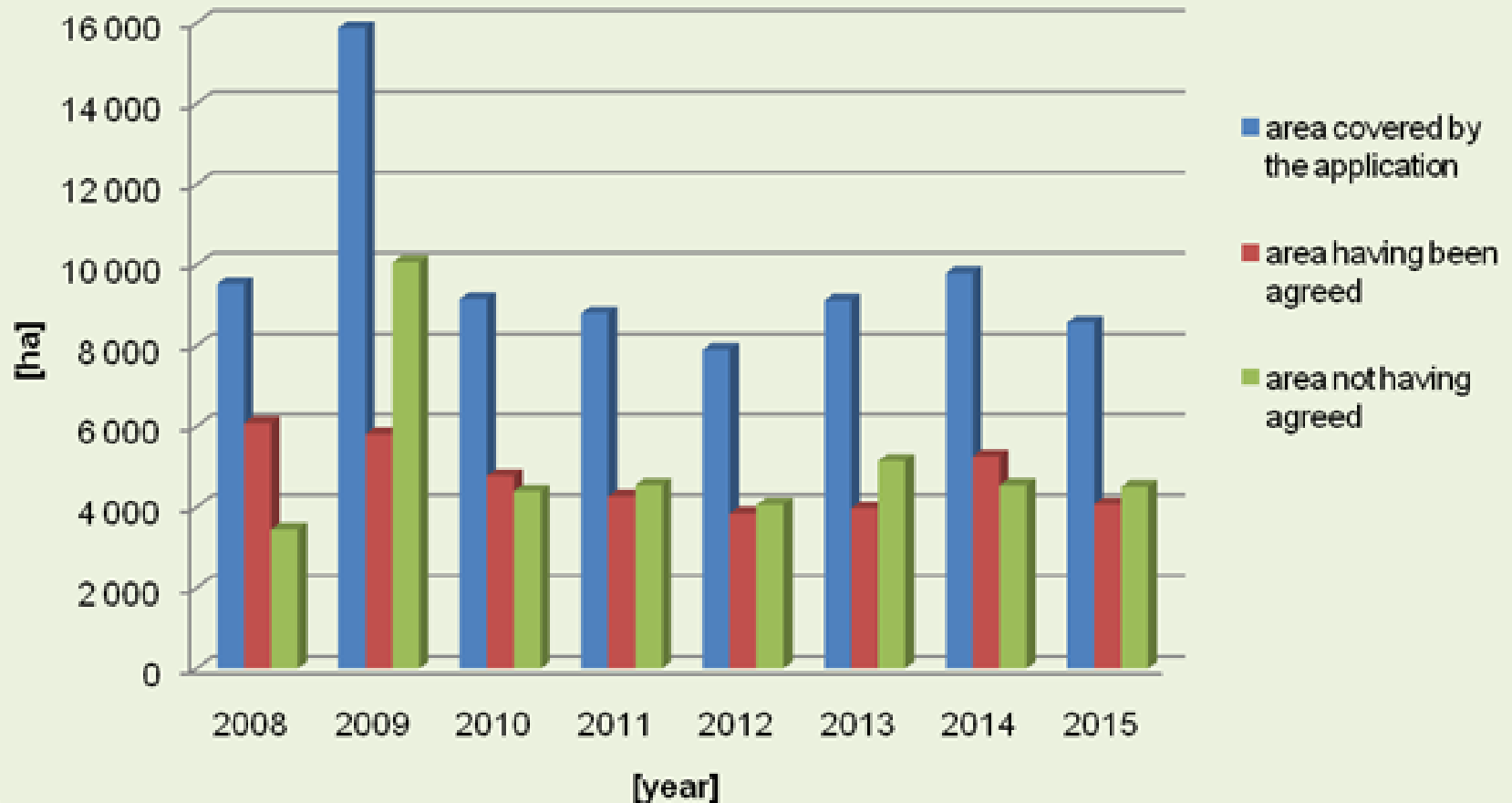
The decision of “land take” is connected with:

➤ fees dependent on the quality and origin of the soil (soil from the categorized as class I-III of mineral and organic origin and class IV-VI of organic origin)

➤ obligations such as removing the humus layer of soil (valuable top-soil) from the categorized as class I-IV as well as from peatmoors, in order to increase the fertility (increase the land value) of other soils or to further reclamation of degraded land somewhere else.



Summary of land area requested and for which the Minister has agreed or not agreed





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Thank you for your attention !