



Research paper

Amendment of the construction law and obtaining a permit to build a house

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Abstract: Investors are obliged to carry out construction processes based on the binding rules and regulations. However, these regulations are constantly evolving and subject to various attempts of improvement. Therefore, the aim of this article is an attempt to present the changes that have recently occurred in the Polish process of construction process of a single-family residential building, in the context of proceedings before architectural and construction administration authorities. Basic legal acts regulating this procedure have been amended, such as: the Construction Law Act and the Regulation of the Minister of Development on the detailed scope and form of a construction design. Since these regulations have changed their provisions many times over the years, the article focuses on the changes that entered into force during 2020 and 2021. An additional aim of the article is to check and show how these changes were adopted by both investors and participants in the construction process, such as designers. In order to achieve this goal, a survey was conducted among them in Małopolska region. The data concerning the submitted applications for permits for the construction of a single-family residential building, within the mentioned years, have been analyzed.

Keywords: construction law, building permit, residential building

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1. Introduction

One of the basic human needs is to have a place to live. This need can be satisfied in various ways, whether it remains in the place of adolescence, or by renting or buying, for example, an apartment. One of the ways is also to build your own house, i.e., a single-family residential building, as defined in the Construction Law Act. Since Poland, like any other country, operates on the basis of legal regulations, also in the case of an intention to build a single-family residential building, the investor is obliged to implement this process based on the applicable rules and regulations. However, an essential feature of each system is its evolution and attempts at improvement. Therefore, the article presents changes that have occurred in the process of building a single-family residential building, in the context of proceedings before architectural and construction administration authorities, taking into account the amendments to basic legal acts regulating these proceedings, such as: the Construction Law Act and the Regulation of the Minister of Development on the detailed scope and form of a construction design. Since these regulations have changed their provisions many times over the years, the article focuses on the changes that entered into force during 2020 and 2021. In addition, it was checked and shown how these changes were adopted by investors and designers. For this purpose, the data concerning the submitted applications were analyzed for a building permit for a single-family residential building in one of the Małopolska County Offices and a survey among designers was carried out.

2. Proceedings before the architectural and construction administration authority before and after September 19, 2020

Having the information contained in the excerpt from the Municipal Spatial Development Plan or the decision on the Development Conditions, the investor, or rather a designer commissioned by the investor, as the investor is defined by the construction law for “developing a construction project in a manner compliant with the requirements of the Act, the arrangements set forth in administrative decisions regarding the construction project, binding regulations and the principles of technical knowledge” [1], may commence work on the documentation necessary to obtain a building permit. The basic elements of this documentation are: plot or area development plan and design Architectural and construction. These two elements make up a construction project, which by itself is consistent with Article 34 of the Construction Law Act, it should meet the requirements contained in the development conditions decision, if it is required, or demonstrate compliance with the local development plan, and its scope and content should be adapted to the nature and specificity of the facility and the complexity of the construction works. At this point, reference should be made to the amendment to the Construction Law, which is the essence of this article. It was because of it that the current appearance of the construction design was changed, as well as the number of copies of the designs submitted to the architectural and construction administration authority. So far, the Construction Law Act provided for the need to submit

4 copies of the project with the application, while after September 19, 2020 Their number was reduced to 3, taking into account a 12-month transition period, where the investor could choose on the basis of which provisions the decision granting the building permit is to be issued. The presented general requirements as to the content of the construction design were also supplemented, by virtue of the amendment, with a provision referring directly to the need to take into account the fire protection conditions in the scope and content of the design. The most important changes introduced by the amendment to the Construction Law Act in terms of its components are presented in Table 1.

Table 1. Components of a construction design before and after the amendment to the Construction Law

Component elements of a construction project	
Before the amendment	After the amendment
<ul style="list-style-type: none"> – a plot or land development plan drawn up on the current map for design purposes or its certified copy with the original by the designer, – architectural and construction design, – in the case of multi-family residential buildings, information on the share of residential premises, – in the case of a national or provincial road, a declaration of the competent road administrator about the possibility of connecting the plot with the road, – in accordance with the regulations on public roads, – If required, the results of geological-engineering studies and geotechnical conditions for the foundation of buildings, – information about the area of influence of the facility. 	<ul style="list-style-type: none"> – plot or area development plan drawn up on a current map for design purposes or a copy thereof, certified for compliance with the original by the designer, – architectural and construction design, – technical project, – if required, in the case of a national or provincial road – a declaration of the competent road administrator about the possibility of connecting the plot with the road, in accordance with the regulations on public roads, – opinions, agreements, permits and other documents.

Own study based on [1]

As it has been presented in Table 1, 3 parts have been separated from the previous 2 elements of the construction design. A novelty in relation to the previous provisions is the fact that currently, the requirement to obtain a permit is to submit to the authority issuing the decision only the plot development plan or the land development design and the architectural and construction design, and not the entire construction design as before. The technical design, on the other hand, is an element of documentation delivered to the construction supervision authority at the stage of the facility into use. It should contain [1]:

- designed structural solutions with the results of static-strength calculations,
- energy characteristics,
- design of necessary material and technical solutions,
- if necessary – geological and engineering documentation or geotechnical conditions for the foundation of buildings,
- other design studies.

It is possible to bind all 3 elements together and submit them in such form to the architectural-construction administration authority, however in such a case, the authority is not empowered to verify it. Despite the changes introduced by the amendment to the Construction Law, the description of the content of the plot or area development project, referred to in the remainder of the article as – the project location, was left without major modifications. The information about the area of influence of the object has been directly assigned to this element of the construction design, unlike the previous version, where it was indicated as an element of the project, but without specifying in which part it should be found. The presentation of the components of the project location in relation to the amendment to the Construction Law is shown in Table 2.

Table 2. Plot or area development plan according to the construction law before and after the amendment

Plot or area development plan according to the construction law before and after the amendment	
Before the amendment	After the amendment
<ul style="list-style-type: none"> – defining the boundaries of the plot or area, – location, outline and layouts of the existing and planned building structures, utilities networks, – method of sewage disposal or treatment, – communication system and greenery, indicating the characteristic elements, dimensions and ordinates and mutual distances of objects, with reference to the existing and planned development of the neighboring areas. 	<ul style="list-style-type: none"> – defining the boundaries of the plot or area, – location, outline and layouts of the existing and planned construction objects, including utilities networks, and construction equipment located outside the construction object, – method of sewage disposal or treatment, – communication system and greenery, indicating the characteristic elements, dimensions and ordinates and mutual distances of objects, with reference to the existing and planned development of the neighboring areas, – information about the area of influence of the facility.

Own study based on [1]

The content of individual components of a construction design is regulated by the construction law, however what is to be included therein is specified in the Regulation of the Minister of Development on the detailed scope and form of a construction design. By changing the provisions of the construction law, the legislator was forced to amend this regulation as well. Thus, before the amendment of the act discussed so far, the Regulation of the Minister of Transport, Construction and Maritime Economy of April 25, 2012 on the detailed scope and form of a construction design was in force – Journal of Laws 2018.1935, i.e. of 2018.10.09, while as well as the amendment to Construction Law, the Regulation of the Minister of Development of September 11, 2020 on the detailed scope and form of the construction design, entered into force on September 19, 2020 – Journal of Laws 2020.1609 of 2020.09.18. The change concerning the map itself on which the plot or area development plan is prepared is presented in Table 3. The changes related to the drawing part of the plot or area development plan according to the regulation on the detailed scope and form of the construction design are presented in Table 4.

Table 3. Changes to the project location map – regulation on the detailed scope and form of a building design

Amendments to the project location map – regulation on the detailed scope and form of a construction project	
Before the amendment	After the amendment
– made on a copy of the map for design purposes certified as a true copy of the original by the designer.	– shall be drawn on an up-to-date map for design purposes or a certified copy thereof with the original by the designer.
The difference is that the project location is allowed to be drawn up on the original map, not only on its copy, but the word “current” has also been added. These provisions, introduced by the amendment, are only an attempt to create coherent provisions in the field of construction law, because such requirements as to the project location are imposed by the law that supersedes the regulation, which is the construction law.	

Own study based on [2, 3]

Table 4. Contents of the drawing part of the plot or area development plan according to the regulation on the detailed scope and form of the construction project

Entry after the revision	Changes
– orientation of the plot or area location in relation to the neighboring areas and parts of the world.	– no changes.
– plot or site boundaries.	– no changes.
– location and outline of the existing and planned construction facilities along with the indication of their use, including related construction devices, with indication: <ul style="list-style-type: none"> • for entries and inlets, • the number of storeys, • characteristic ordinates – including the ordinates of the existing and projected, • dimensions and distances from the border of the plot or area, • mutual distances of construction objects and construction devices to the extent necessary to check the compliance of dimensions and distances with the regulations, as well as with the provisions, in particular the decision on development conditions and landscaping the scope of application of orders, • limitations and conditions resulting from acts of local law or decisions about building conditions and land development, referred to in §14 point 5 a, c and d. 	– the necessity to specify the use of objects in the drawing part of the project location has been added in the case of characteristic elevations, it was specified that they should refer to both the existing and the planned terrain.
– the internal communication of the area presented in relation to the existing and planned external communication.	– no changes.

Continued on next page

Table 4 – *Continued from previous page*

Entry after the revision	Changes
– topography, with changes in relation to the existing state, and, if necessary, vertical sections of the terrain.	– the subscription was abandoned with characteristic elevations from the previous point.
– the layout of the existing greenery, with the designation of its elements to be liquidated, and the layout of the designed high and low greenery.	– the specification of characteristic elevations and vertical sections of the terrain, attached, if necessary, has been abandoned.
– system of networks and utilities, shown with connections to the relevant external networks and internal and construction devices, including: water supply, water intakes with protection zones, heat, gas and sewage systems or for sewage treatment, and specifying the method of draining rainwater, including the necessary slopes, pipe sections and characteristic ordinates, dimensions and distances, along with the location of connections, devices and measurement points – if they are included in the scope of the project.	– the wording “when they are included in the scope of the project” has been added – this provision eliminates earlier interpretation discrepancies as to the need to present these elements if the construction design did not take them into account.
– the arrangement of electric and telecommunication lines or wires and related technical devices, presented in conjunction with external networks, with placement and elevation, if necessary, connections to external networks and connections with the installation of building objects and characteristic elements, measuring points, symbols and dimensions – if they are included in the scope of the project.	– the wording “when they are included in the scope of the project” has been added – this provision eliminates earlier interpretation discrepancies as to the need to present these elements if the construction design did not take them into account.

Own study based on [2, 3]

As for the changes introduced by the amendment to the descriptive part of the discussed project, they are presented in Table 5.

Table 5. Changes in the descriptive part of the project location – regulation on the detailed scope and form of a building design

Entry after the revision	Changes
– determination of the subject of the construction project, and in the case of a construction project covering more than one building object – the scope of the entire project.	– the provision regarding the sequence of implementation of the objects was abandoned.

Continued on next page

Table 5 – *Continued from previous page*

Entry after the revision	Changes
<ul style="list-style-type: none"> – determination of the existing state of development of the plot or area, including information on buildings intended for demolition. 	<ul style="list-style-type: none"> – the provision regarding the description of the proposed changes was abandoned at this point because this information was and is still contained in the next point, which was an unnecessary repetition, – the regulation no longer requires the description of objects intended for further use.
<ul style="list-style-type: none"> – planned development of the plot or area, including: <ul style="list-style-type: none"> • construction equipment related with construction objects, • method of discharge or treatment of wastewater, • the communication system, • method of access to a public road, • technical parameters of the network and utilities, topography and greenery, to the extent necessary to complete the drawing part of the plot or area development plan. 	<ul style="list-style-type: none"> – with regard to the communication system, the legislator resigned from the related provisions with fire regulations, – novelty is the obligation to present the method of sewage disposal or treatment, – the necessity to prove the access of the investment area to a public road was added, where this obligation arose only from the Construction Law Act, – an obligation to provide technical parameters of the network has been imposed and utilities networks and devices.
<ul style="list-style-type: none"> – summary: <ul style="list-style-type: none"> • with the built-up area of the planned and existing buildings, while the building development area shall be reduced by the area of external parts of the building, such as: ground terraces and supported by columns, cornices and balconies, • with the area of roads, parking lots, squares and pavements, • with a biologically active surface, • the area of other parts of the site, necessary to verify compliance with the local development plan or the decision of the development conditions. 	<ul style="list-style-type: none"> – a provision on the method of calculating the built-up area has been added, – the choice of indicating a green area or a biologically active area has been abandoned because of the necessity to present a biologically active area.

Continued on next page

Table 5 – *Continued from previous page*

Entry after the revision	Changes
<p>– information and data:</p> <ul style="list-style-type: none"> • the type of restrictions or prohibitions in the building and development plan of this area resulting from local legal acts or decisions about building conditions and land development, if required, • whether the plot or area on which the building is designed is entered in the register of monuments or the municipal register of monuments or whether the construction project is located in an area covered by conservation protection, • determining the impact of mining operations on the plot or the area of the construction project – if the construction project is located within the boundaries of the mining area, • the nature and features of the existing and anticipated threats to the environment, as well as hygiene and health of the users of the designed buildings and their surroundings to the extent compliant with separate provisions. 	<p>– the need for information was presented in a slightly different manner on restrictions and prohibitions resulting from the local development plan or the decision of the General Meeting,</p> <p>– so far, the regulation indicated the necessity to provide information whether the plot or area on which the building is designed is entered in the register of monuments, the amendment extended this catalog to include the communal records of monuments or an indication of whether the construction project is located in an area under conservation protection.</p>
<p>– data on fire protection conditions, particular on fire routes and fire protection water supply, along with their technical parameters,</p> <p>– other necessary data resulting from the specificity, nature and complexity of the building structure or construction works.</p>	<p>– it is a new element added to the descriptive part of the land development project.</p>
<p>– other necessary data resulting from the specificity, nature and complexity of the building structure or construction works.</p>	<p>– no changes.</p>
<p>– information about the area of influence of the facility.</p>	<p>– this element of the construction project has been assigned to the discussed part of the project, which is a consequence of the changes introduced in the provisions of the Construction Law Act.</p>

Own study based on [2, 3]

3. Research amendments

In response to the question of who is most affected to the introduced amendments related to the construction of a house, one could intuitively say that those who made the decision to build a house, i.e., investors are most affected by the amendments. But in the context of changes related to the very obtaining of a building permit and construction design, necessary at this stage of the process, it can be stated that they primarily affect the work of people who prepare the construction design. Such a conclusion was drawn on the basis of interviews with investors who obtained a permit for the construction of a single-family residential building in the studied Małopolska county. The average investor who once in his life decides to undertake a project related to the construction of a house, is interested in the effect of the entire process, not whether the selected project consists of 2 or 3 parts, or is submitted to the architectural and architectural administration body. construction in 3 or 4 copies. When choosing a house design, they were guided primarily by its appearance, functionality and adaptation to the needs and financial possibilities, and when deciding on the form of the project, they were guided by the opinion and advice of people who were involved in its development or adaptation. Therefore, the focus was on the opinion of these people, and it was among people involved in the development of construction projects that the research was carried out. Another argument in favor of the selection of the target group is the fact that, as already mentioned, the investor in most cases decides to build once and implements it in accordance with the relevant regulations, while it is designers within 12 months, in which the legislator provided for the possibility of choosing based on legal regulations for which the investment is being implemented, they developed not one, but several, often a dozen or so projects, and it was they who could notice the differences and assess whether the introduced changes are beneficial. The aim of the study was to check how the discussed amendments are perceived. The county that is part of the Małopolskie Voivodeship, consisting of 16 communes, measuring an area of 1,412 km², inhabited on June 30, 2020, was selected as the research area. by 201,454 people, which is 142.6 people per square kilometer [5]. It is located at the junction of two geographic regions: the Sandomierska Valley and the Ciężkowicko-Rożnowskie Foothills. In its northern part there are mainly plain areas of a typically agricultural character, while in the southern part there are rolling and mountainous areas. The architectural and construction administration authority is the staroste. The number of all building permits issued and permits relating only to residential, single-family, detached buildings, issued in recent years is shown in Figure 1. On the other hand, the number of permits for the construction of residential, single-family, detached buildings, in relation to all permits issued, in 2019–2021, is shown as a percentage in Figure 2.

As can be seen in Figure 1, the number of permits issued in 2020 and 2021 decreased significantly compared to 2019 – by as much as about 250 permits. This difference, however, is not directly related to the changes in the law raised in the article, and it results mainly from the simultaneous increase in 2020 and 2021 in the number of applications for the notification of construction works that do not require a building permit together with the project. Investors in those years used were more likely more willingly to report such

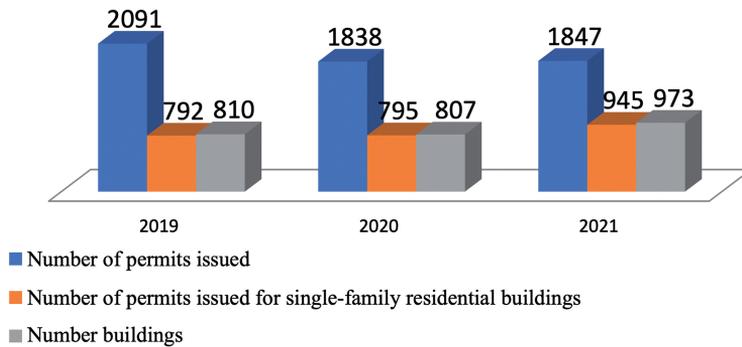


Fig. 1. Statistics on the number of permits issued for the construction of a single-family residential building in 2019–2021 in one of the districts of Małopolska (own study based on data from the County Office)

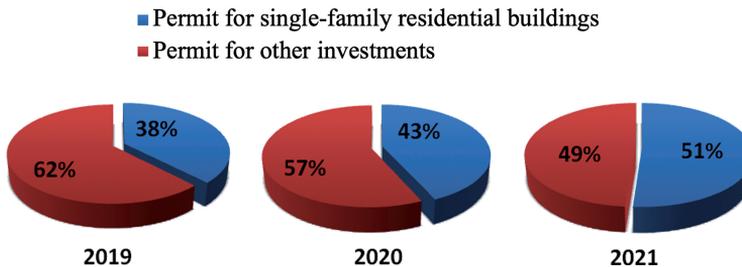


Fig. 2. Percentage of building permits for the construction for detached single-family residential buildings in 2019–2021 (own study based on data from the County Office)

investments as the construction of a network or an internal gas installation, instead of submitting applications for a building permit, which also explains the difference in the share of building permits for a single-family residential building in relation to all issued permits, presented in Figure 2. Figure 1 shows, however, that in 2021, compared to 2020, i.e., in the period in which the transitional provisions were in force and the possibility of submitting applications based on the provisions before the amendment was allowed, the number of permits for detached single-family residential buildings increased by 150, i.e. by almost 19%. In this case, the reason for this difference can be seen in the changes introduced by the legislator. However, the increase in this number was not caused, as it would seem, by the changes introduced to the construction design, or the possibility of submitting applications and designs in electronic form, and the fact that the legislator allowed for the possibility of submitting applications based on the previously applicable regulations for a period of 12 months. This increase is directly related to the fact that the construction design is often developed over several months, therefore, as it results from the interviews with the employees of the Department of Town Planning, Architecture and Construction, they were submitted to the authority at the last possible date, whether by investors or by designers who are the investor's representatives. Applications are often

incomplete, but are nevertheless prepared on the basis of the existing regulations, on which work started during the transitional period, and sometimes even before that period, but were not completed. To sum up, the area of the conducted research is the county in which permits for the construction of detached single-family residential buildings, over the last few years, constitute on average 44%. The survey was conducted among people involved in the development of construction projects for the indicated investments, and operating in the county, in connection with the identification of these people as a group of participants in the construction process, which is directly related to the changes introduced by the amendment. The study consisted of a survey in which questions were asked about the number of cases conducted since September 19, 2020, until September 19, 2021, and related to single-family residential buildings and questions about the form in which these projects were developed. 27 respondents were also asked, *inter alia*, about their opinions as to whether the changes introduced by the amendment facilitate the process of building such a facility. After the results were processed, the answers provided show that 455 single-family housing designs were developed during this period of time, of which 305, i.e. 67%, were developed on the basis of the pre-amendment regulations – with 4 copies of the construction design. These results are shown in Figure 3.

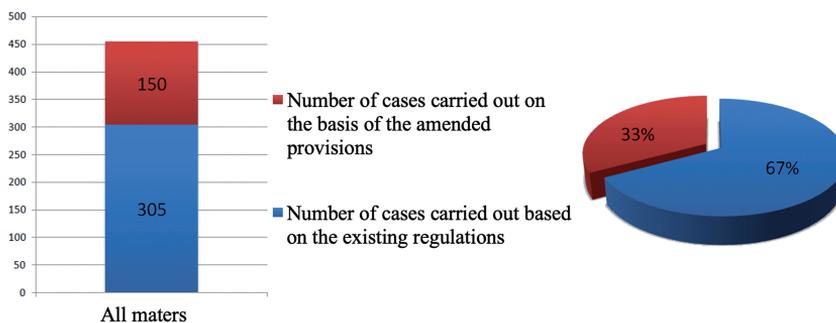


Fig. 3. Cases conducted on the basis of the existing and amended regulations (own study)

This 2-fold advantage of choosing such a form results from the fact that work on some of the commissioned projects was started before the introduction of amendments to the Construction Law, but also, and perhaps above all, due to the lack of availability of typical projects developed on the basis of the amended regulations. This thesis is confirmed by the fact that out of all the developed projects, as many as 399 are typical projects, and those developed individually are only 56, which is shown in Figure 4. Therefore, it is also not surprising that in the case of typical projects, as many as 68% were developed based on the possibility of submitting an application for a building permit with 4 copies of the design. However, the situation is different with individual construction projects. Regardless of their small number, in this case more often, as much as 43%, it was decided to develop a technical design, which is shown in Figure 5.

This could indicate that a group of participants in the construction process, i.e., designers, positively evaluates introduced amendments. However, the study split the question

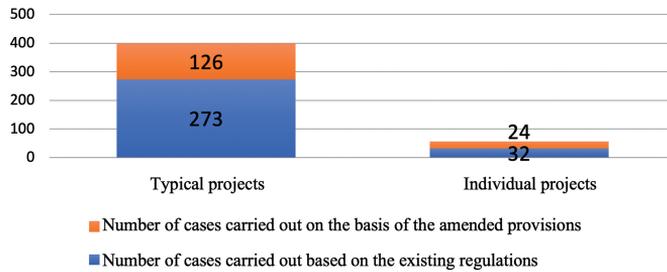


Fig. 4. The division of cases into typical and individual projects (own study)

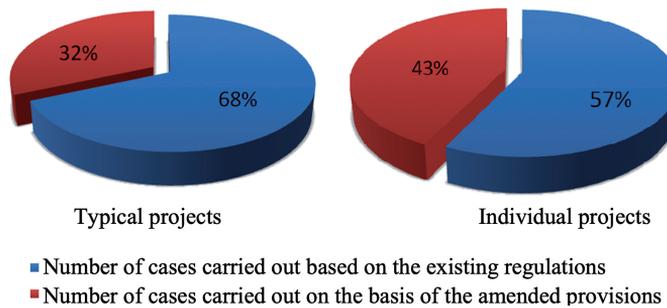


Fig. 5. Percentage share of typical and individual projects developed on the basis of the existing and amended regulations (own study)

of opinions about the changes into two aspects. The first was the question about the entire process related to the construction of a single-family residential building and what, in the opinion of the respondents, the amendment had an impact on it, or more precisely, whether it facilitated the whole process in their opinion. According to the survey, according to slightly over 59% of respondents, there is no difference, and only 22.2% explicitly believe that the changes introduced make the whole construction process easier. These results are shown in Figure 6.

Do you think that the changes that have occurred in the regulations related to the construction of a single-family residential building after the amendment of the law in 2020 facilitate the construction process of this facility?

27 replies

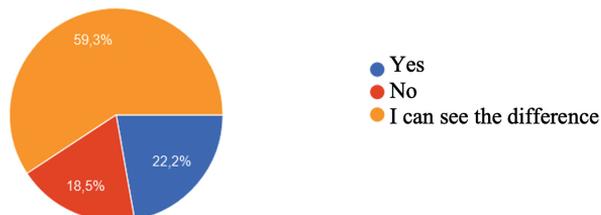


Fig. 6. The impact of the amendment to building regulations on facilitating the process of building a single-family residential building (own study)

Another aspect examined in the survey was checking how the respondents rated the changes, specifically the division of a construction project into architectural-construction and technical, in the context of administrative processes. In this case, the vast majority of respondents, over 70%, claim that it is a favorable solution. These results are shown in Figure 7.

Do you think that the separation of a construction project into an architectural and construction project is a beneficial solution in the context of administrative processes?

27 replies

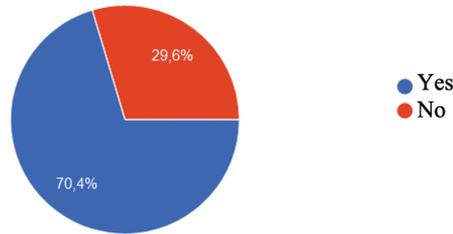


Fig. 7. Is the separation of the construction project into an architectural-construction project and a technical project beneficial in the context of administrative processes. Own study

The research was complemented by the last two questions of the survey, which allowed for a free form of expression, but were non-obligatory, which was used by some respondents. And so, to the question:

- Can you name which ones, of the introduced changes you consider beneficial, the following answers were given:
 - 3 copies of the project,
 - 3 copies of the design,
 - e-application,
 - elimination of the technical part from the project submitted when obtaining a building permit,
 - reducing the number of copies to 3,
 - possibility of attaching copies – the investor does not get rid of the originals,
 - attaching copies, 3 copies of the project,
 - relevant authorities deal with parts of the construction project appropriate to their competences,
 - 3 copies of the design, it makes no sense to duplicate the same,
 - attaching copies instead of originals,
 - division into 3 parts and reduction of the number of copies,
 - 3 copies of the project.
- When asked about unfavorable changes, the following answers were given:
 - 3 copies of the design,
 - separation of the design into an architectural and construction design and a technical design, makes it necessary to duplicate the same information in many places,

- previously, everything was contained in one project, now it is divided into a separate architectural, construction and technical project, which causes duplication of some information,
- separation of the construction design into an architectural and technical design,
- 3 copies of the design,
- e-application,
- in-application,
- the need to duplicate some things in the architectural, construction and technical design,
- separation into technical design,
- introduction of 3 copies because investors often lose the project,
- dividing the project into three parts,
- three copies of the project,
- separation of the project into architectural, construction and technical.

It is noteworthy that the basic changes, which are the division of the project into 3 items and a reduction in the number of copies to 3 are mentioned both as positive and negative changes. However, what is particularly noteworthy is the appearance of an e-application as a negative change. This is probably related to the fact that, when asked in the questionnaire, “Have you developed a construction project of a residential single-family building in electronic form, which was submitted to the architectural and construction administration authority in the form of e-application?” only 2 respondents answered positively, as shown in Figure 8. It clearly shows that this form is not popular. It should also be noted here that the questionnaire did not indicate that the questions relate only to the cases addressed to the authority which is the Starost of one powiat. It is worth paying attention to it, because the information obtained by the end of 2021 the said Poviast Starosty received 4 applications for building permits for a residential single-family building in electronic form, of which 1 remained without consideration, and in the case of 3, the proceedings were suspended at the request of a party. This shows that the basic change introduced by the second of the discussed amendments has not yet found recognition among investors and designers.

Did you prepare a construction project of a single-family residential building in electronic form, which was submitted to the architectural and construction administration authority in the form of an e-application?

27 replies

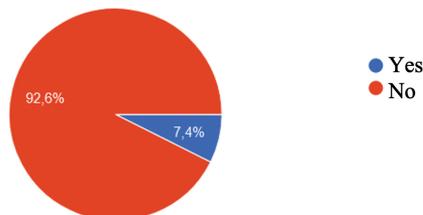


Fig. 8. Research results related to e-applications (own study)

4. Concluding remarks

This article deals with amendments to the construction law. Over the years, the provisions of laws or regulations related to the process of building a single-family residential building have changed many times. The main goal of the article was to show the changes that the legislator introduced in recent years, i.e. in 2020 and 2021. They were related primarily to two large amendments. This goal was achieved by indicating the differences in the process of obtaining a building permit for a single-family residential building before and after September 19, 2020, when the first of the discussed amendments entered into force, with a grace period of 12 months, entered into force. The second goal of this article was to check whether the attempts to improve and adapt the regulations to the present times had the intended effect. To achieve it, research was carried out in one of the counties of Małopolska, addressed to people dealing with this subject on a daily basis, i.e. to people who develop construction projects. After analyzing both the described changes and the research results, it can be concluded that some of the introduced changes, such as the division of the project into 3 elements, the possibility of attaching copies of documents, reducing the number of projects, can be assessed as positive. However, it is a certain surprise that in the present digital era the possibility of submitting both an application and a project was not used, which may be due to the legislator's failure to specify certain provisions related to it.

References

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- [3] Regulation of the Minister of Transport, Construction and Maritime Economy of April 25, 2012 on the detailed scope and form of the construction design (*Journal of Laws* 2018, item 1935 i.e.).
- [4] Act of 14 June 1960 Code of Administrative Procedure (*Journal of Laws* 2021, item 735, i.e.).
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Nowelizacja prawa budowlanego, a uzyskanie pozwolenia na budowę domu

Słowa kluczowe: prawo budowlane, pozwolenie na budowę, budynek mieszkalny

Streszczenie:

Inwestorzy zobowiązani są realizować procesy budowlane w oparciu o obowiązujące zasady i przepisy. Przepisy te jednak ciągle ewoluują i poddawane są różnym próbom doskonalenia. Dlatego też, celem zamierzonego artykułu jest próba przedstawienia zmian, jakie zaszły w ostatnim czasie, w polskim procesie budowy budynku mieszkalnego jednorodzinnego, w kontekście postępowania przed organami administracji architektoniczno-budowlanej. Nowelizacji uległy podstawowe akty prawne, regulujące to postępowanie, takie jak: Ustawa Prawo Budowlane oraz Rozporządzenie Ministra Rozwoju w sprawie szczegółowego zakresu i formy projektu budowlanego. Ponieważ na przestrzeni lat

przepisy te zmieniały swoje zapisy wielokrotnie w artykule skupiono się na zmianach, które weszły w życie na przestrzeni roku 2020 oraz 2021.

Dodatковым celem artykułu jest sprawdzenie i pokazanie, jak zmiany te zostały przyjęte zarówno przez inwestorów, jak i uczestników procesu budowlanego, jakimi są projektanci. Aby cel ten mógł zostać osiągnięty, przeprowadzono badania wśród tych osób, na terenie Małopolski. Analizie poddano dane dotyczące złożonych wniosków o wydanie pozwolenia na budowę budynku mieszkalnego, jednorodzinnego w wymienionych latach.

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