

# THE INFLUENCE OF POLISH SPATIAL REGULATIONS ON THE DEVELOPMENT OF COMMERCIAL SPACE IN CITIES

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**Abstract.** The purpose of this article is to present Polish spatial regulations in the context of the development of commercial space, especially shopping centers, on the example of the city of Torun. Shopping centers are one of the dominant elements in urban space, they have a significant impact on the development of functional, social and economic relations, and therefore constitute an interesting object of study.

**Key words:** spatial planning, local land development plans, commercial space

## 1. Introduction

Rational creation of space is undoubtedly a significant, yet very hard task. It requires a complex approach and taking into consideration dynamically changing social and economic conditions, as well as environmental and cultural ones. A main tool for creating and managing space in is spatial planning (Tosics, 2005; Silva, 2012; Polanska, 2014). Hence spatial planning shouldn't be perceived as an obstacle making it difficult to locate a particular activity, but rather as a process supporting both regional and local development. Incoherent and chaotic planning policy is shown in e.g. destabilization of economic potential, the creation of incomplete infrastructure systems, and destruction of the environment, which influences the quality of life in negative way (Titus and Hinderink, 1998).

The Polish planning system functioning till the end of the 20th century was

characterized with a lack of coherence in space management as in other post-socialist countries (Stanilov, 2007; Hirt, 2013). As a result of the lack of modern planning documents the space was mismanaged. In many countries, also in Poland, space, both urban and rural, was filled with chaotic residential, industrial, service, production, commercial (including large size shops) and infrastructure buildings (Fujta *et al.*, 1999).

Therefore, one must state that Polish space, mostly of urban character, is mismanaged and requires radical changes. The means to do this seem to be new, legally binding planning regulations determining the rules of space policy by the authorities at each level of administration included in the bill from 27th March 2003 on the planning and land development (Parliament of Poland, 2003). According to the above bill the aim of planning activities at each level is to map

areas meant for particular investment purposes while preserving the rules of space order as well as the coherent policy of the state, regional, and local authorities.

This article aims at introducing the role of land development planning and the problems of spatial planning in Poland. The authors also focused on the role of local land development plans, which are documents having the most significant influence on the shape of space order. The study aims at acquiring the answers for the following research issues:

1. Why is space planning important from both social and economic perspectives?
2. Why is local land development planning the most important tool in rational space management?
3. How have the commercial space developed in Poland since the change of political system in the context of space planning?
4. How did the local land development plans influence on the location and shape of the largest large size shops in Toruń and what are the further perspectives of the development of other facilities in the context of the presented planning documents?

In one part of the article which is a case study of Toruń - a significant commerce centre, whose traditions date back to the mediaeval times, it has been presented how the local land development plans influence on the development of commercial infrastructure and what the further perspective of its development might be (Hamilton *et al.*, 2005; Dmitriewa and Kliemens, 2010).

## 2. Methods

Finding the answer for the above questions requires the choice and application of suitable research methods

and techniques. In the article a method generally referred to as "desk research" has been used. The research based on the analysis of materials in the form of local land development plans that were made for Toruń between 2003 and 2013.

## 3. Polish planning system

The space in which a human being functions is supposed to be characterized with order and harmony, since if it is mismanaged it affects in negative way both social and economic life (Domański, 2002; El Hedhli *et al.*, 2013). The shape of Polish cities has, on the one hand, resulted from the turbulent history of the country (e.g. the partitions, intense industrialization processes of the 18th/19th cent., the war damage, urban negligence of the socialism period) on the other however is the result of highly liberal and at the same time inconsistent space policy of local authorities during the last decades. A. Jędraszko and A. Billert (2009) state that the modern shape of Polish cities has been dominated by ruining it market games, during which aims and interests of individual and group subjects are being fulfilled.

A significant change in Polish spatial planning system took place at the turn of the 1980s and 1990s. Then the central planning was replaced with the market economy, in which space is also perceived as commodity. Therefore in the contemporary system of space management one can't say about the centralization of the space planning in Poland (Chudak, 2009). Nowadays the system of space planning is inherently associated with the administrative, three-stage division of the state, which was introduced by the reform on 1st January 1999. The space arrangements, according to the bill from 27th March 2003 on planning and space development

(Parliament of Poland, 2003) are to be introduced on three planning levels according to the administration units (gmina, województwo, state) (Fig. 1). Planning on the most local level, according to Z. Niewiadomski (2003), is of non-obligatory, informal and subsidiary character.

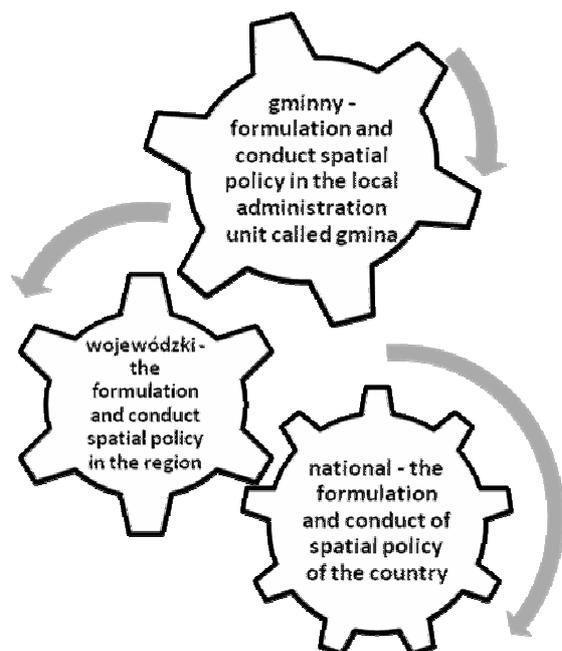


Fig. 1. Diagram of the spatial planning system in Poland (Source: Domański, 1999)

On the state level the concept of space management of the country is the basic planning act, whereas for the units of local administration called województwo the Plan of land development of the unit is passed, and for so called gmina Local plans of land development are prepared. In planning work, regardless the level, any changes should be introduced respecting the needs of all the subjects involved. Coordination of project activities on the axis of state and local administration units should play the leading role in all studies, involving social participation.

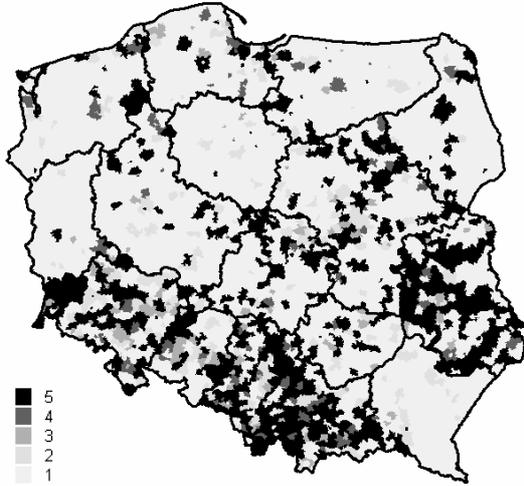
Institutional cooperation and social involvement should be at the foundation of space planning in Poland. It should be

understood on the one hand as the science on aims and rational ways of space management, and on the other as the practical activity aiming at creation of planning studies with the participation of the society (Leśniak, 1985; Domański, 1999). The society has significant influence on the process of space planning, since throughout different stages of formal and legal procedures accompanying the creation of plan it may put forward proposals, comments and take part in public discussion on arrangements included in local land development plans (pl. mpzp, it's means *miejskowy plan zagospodarowania przestrzennego*). Reasonable space planning must take into account the following: the legacy of former users of the space, the demand of the contemporary subjects and society, as well as the interests of future generations.

#### 4. The local land development plan as the main tool of shaping space order

The most important planning document in Poland is the local land development plan, which is created as a part of assignment of local administration units (gminy) (Ogrodnik, 2013). Gmina is the smallest, basic administration unit, which has so called planning prerogative, meaning the capability of making local law namely mpzp. The regulations of mpzp must follow the directives included in the local plan of a bigger administration unit (województwo) as well as the concept of the space management of the state. Thus the significance of mpzp and their influence on the shape of space is remarkable. Figure 2 presented average annual coverage of local land development plans in gminy in Poland in 2009-2012. Up to 24% of the smallest administration units (gminy) in Poland

can claim 100% of their territory arrangement, according to local land development plan (Fig. 2).



**Fig. 2.** Average annual coverage of local land development plans in gminy in Poland in 2009-2012. Explanation: 1. 0%-19,9%; 2. 20%-39,9%; 3. 40%-59,9%; 4. 60%-79,9%; 5. 80%-100% (Source: Central Statistical Office, 2014)

This is the area in the south of Poland (for example Silesia - here the local land development plans aim at revival of the former industrial areas) and the east (the revival of agricultural areas). In 15% of gminy territory between 21% to 84% is arranged according to mpzp. Up to 61%, on the other hand, has only 20% of territory arranged according to mpzp, which implies the lack of clear planning directives and the progressing devastation of the area. The average arrangement according to mpzp in Poland is 42%, with 38% in Toruń, which seems to be a highly satisfactory result.

### 5. The development of commercial space in Polish cities

In the first decade of the 21st century, one could observe a dynamic development of commercial amenities in Poland. There was both change in their number as well as quality, yet often without explicit planning directives. Modernization has changed shopping habits from local small

shops to huge shopping centres (Zolfani *et al.*, 2013). The traditional structure of small size commercial amenities was complemented with single large size shops. A similar process is observed in other countries e.g. in Turkey (Ozuduru *et al.*, 2014).

The shopping centres, which firstly emerged in the US, has become an import part of life style. It has been evolving since the early 1920s by introducing changing patterns of shopping as well as social and recreational activities (Burnaz and Topcu, 2011). The first supermarket was built in Poland in 1991 (Jaciow, 2008). Beside the single shops with the large selling space there came into existence so called shopping centres. This term, however, is ambiguous and complex. It is worth defining. Polska Rada Centrów Handlowych (the Polish Council of Shopping Centres) defines it as " a fixed property, which has been designed and built and is managed as one commercial subject consisting of mutual parts covering the minimal space of 5,000 square meters and consisting of at least 10 shops" (Janiszewska *et al.*, 2011).

The increase of the number of large size commercial amenities should be associated, among the others, with the opening of the Polish market for foreign investors after 1990. In the short time they had become the commercial tycoons in Poland. They took advantage of shortages in commercial and planning policy of city authorities and considerable independence in choosing location. The feeble competition on the side of Polish companies was in no way an obstacle on the way of development of large commercial places. The increase of number of super- and hyper-markets as well as shopping centres in Poland resulted also from the shortage of this

kind of services. Statistic data will confirm the above statement. In 2006 there were 5 hyper-markets per million inhabitants in Poland. It was one of the lowest rates in Europe. In Norway the number was 7, in Ireland 11, in Sweden 14, in Great Britain 18, in Germany 20, whereas in France 28 (Kopeć and Reymer-Goździewicz, 2010).

T. Kaczmarek (2011) states that commercial activity is getting more and more significant for the development of Polish cities. According to the above mentioned author commerce determines the structure of development and has a significant influence on the space order of a particular place (it has both architectural and urban function). Thus, the regulations in local land development plans concerning the conditions of location of large size shops seem to be of great significance. The good location of the shop (nearby a densely inhabited market, access to the road network, etc.) means high profits. The above mentioned factors should be linked with the first stage of the expansion of the shops in question, which had place from more or less the mid 1990s to 2005, and firstly concerned the biggest cities of the country (Kaczmarek and Szafranski, 2008). Nowadays the shopping amenities of this kind are built in smaller towns as well as on the outskirts of big cities, and in the rural areas. It doesn't mean though that the conquest of big urban areas by large size shops has been completed. It is proved by the data placed in Table 1.

In 2000 around 74% of the overall commercial space was placed in the eight biggest Polish towns. In 2010 the percentage decreased to 66%. Two years later 57% of the overall modern commercial amenities were located in the biggest cities. They started to be placed in

medium sized and small towns too. In 2012 almost 700,000 square meters of space meant for large size shops was under the construction process. Over the half of it was planned for towns with up to 200,000 inhabitants or smaller ones, while 37% for the ones with the number of inhabitants up to 100,000 (Tarajko-Bąk, 2012).

**Table 1.** Changes in the number of hypermarkets in the ten largest Polish cities in the years 2008, 2010, 2012 (Source: Central Statistical Office, 2014)

year	<b>1. Warszawa</b>	<b>2. Kraków</b>	<b>3. Łódź</b>
2008	140	54	53
2010	167	68	68
2012	193	88	83
	<b>4. Wrocław</b>	<b>5. Poznań</b>	<b>6. Gdańsk</b>
2008	50	65	56
2010	62	86	66
2012	85	95	77
	<b>7. Szczecin</b>	<b>8. Bydgoszcz</b>	<b>9. Lublin</b>
2008	55	53	48
2010	57	65	54
2012	75	67	62
	<b>10. Katowice</b>	<b>16. Toruń</b>	<b>POLSKA</b>
2008	22	42	3629
2010	29	46	4461
2012	45	51	5468

Large size shops, which are frequently connected with wide range of services, are currently one of the most characteristic features of urban commerce. Shopping centres have become the places of fulfilling numerous needs, not merely consumer ones but social ones as well. Shopping centers are more convenience than shopping strips. There are several ways in which a retail centre can offer spatial convenience. One means involves creating a compact shopping environment by segregating retail and non-retail functions, so that a concentration of stores is created (Reimers and Clulow, 2004). Therefore one may expect the further expansion of the amenities of this kind to smaller towns, which means the appropriating of space.

## 5. Study case - Toruń

The deliberations included in this article are completed with the analysis of the location of chosen large size amenities in the context of local land development plans made for Toruń between 2003 and 2013. The choice of the town was by no means coincidental. The origins of the town as well as its further development are tightly connected with commerce. The first traces of commercial amenities in Toruń date back to the 13th cent. The mediaeval development of the town resulted from the convenient location on the crossing of routes, being a member of Hanseatic League, and dense network of contacts with other European centres of commerce.

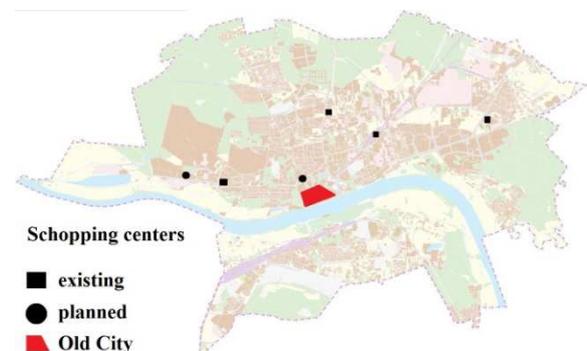
Toruń is one of the oldest cities in Poland. It got its town privileges in 1233. Nowadays, it is a significant centre of economy, commerce, culture, education and tourism. It is situated in the central part of kujawsko-pomorskie district (Fig. 3). It covers the space of 115 square kilometers and has the population of 203 447.



**Fig. 3.** Location of Toruń in the map of Poland (Source: Central Statistical Office 2014)

The historically shaped Old Town in Toruń has been the commercial and service centre of the town for centuries. However, during the past decade a new

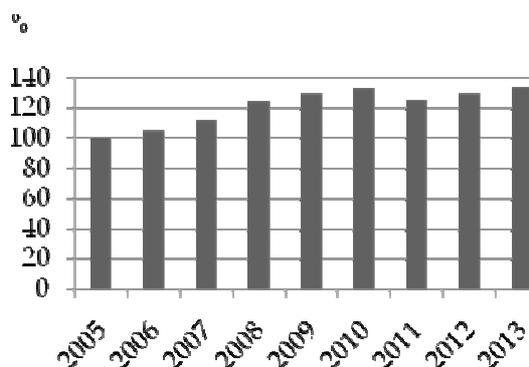
trend has prevailed in the analysed town with over 200,000 inhabitants, i.e. the construction of new commerce and service amenities invariably very popular among the inhabitants of Toruń. Large size, multi-functional amenities form beyond the centre area, which is characteristic for the majority of cities in Poland. As a result a decision has been made to present how local land development plans influenced on the location of the four biggest large size shops existing in the town as well as the further perspectives of development for the following two ones in the context of given planning documents. The following, already existing, places have been taken into consideration: Plaza mall located in the western part, Kometa mall situated the furthest in the north, Copernicus mall and Bielany Shopping Centre in the east of the town. The planned ones are the amenity on the western outskirts and Solaris mall, located in the vicinity of the Old Town (Fig. 4).



**Fig. 4.** The largest commercial places in Toruń (existing and planned) (Source: Geoportal, 2014)

The space management policy of Toruń has been shaped consistently for 20 years by the subsequent presidents of the city, as well as by Miejska Pracownia Urbanistyczna (City Urban Office). Between 2005 and 2012 42 new local land development plans were passed, which indicates the increase dynamics at the level of almost 35%. Another 30 plans are being made (compare Fig. 5 and Table 2).

The overall number of plans functioning in Toruń is 167 (in 2013).



**Fig. 5.** The dynamics of the increase of the number of legally binding local land development plans in Toruń between 2005 and 2013 (2005=100%)  
(Source: City Urban Office, 2014)

**Table 2.** The number of legally binding local land development plans in Toruń between 2005 and 2013.  
(Source: City Urban Office, 2014)

year	number
2005	125
2006	131
2007	140
2008	156
2009	163
2010	166
2011	157
2012	162
2013	167

During the past decade the space intended in the plans for services was determined at the level of 25 hectares (0.3 % of the town surface). It is an example of consistent and coherent policy of the town when it comes to intending areas for services, including large size shops. The present planning policy obeys the rules of space order, which aims at harmonious shaping of space, so that various spaces, such as social, economic, environmental, cultural ones, could coexist in suitable proportions and relations. An appropriate balance between residential, service and environmental spaces is a priority for the ones responsible for the space planning in Toruń. One may state that it is possible to

obtain such one. However, the dynamically changing social and economic situation as well as the constantly developing demand for large size commercial and service amenities presents a new challenge for the authorities of Toruń, responsible for the space planning. One of them is the extension of Copernicus mall by adding a new part so called Atrium. The first part of the mall was completed in 2005, however the prosperous economy made it possible to add new 16 000 square meters to 29,000 already existing.

In the local land development plan (City Council of Toruń, 2011) a number of regulations were included that impose on the investor, Atrium European Real Estate, several guidelines guaranteeing the highest quality of the amenity. It is worth paying attention to an order demanding the use of high-standard architectural solutions as well as the need to introduce greenery arrangements at parking lots, which is particularly important in preserving the esthetics of urban landscape. The requirement in the plan demanding to protect and preserve a historical building serving the administration purposes, along with its fence, two storage buildings and an outbuilding, all of which are situated at the construction area, is also of significance. It is an element of the protection of cultural heritage and the gesture of respect towards the existing buildings, which are valuable from the conservation perspective. According to the intentions of planners it is to make a smooth connection with a modern mall, and serve as a counterpoint creating the new narration of this place.

There are in Toruń buildings which were constructed according to already invalid planning conditions. New plans, passed

after 2003, sanctioned so called existing state and set new urban rules of the game. The oldest shopping centre, Kometa, which was built in 1999 is located in the area included in the local land developing plan according to the resolution of the Town Council in Toruń 710/09 from 10th December 2009. Since the plan made on the basis of the new resolution appeared after the construction of the centre it includes detailed regulations concerning the extension of the existing building. They refer mainly to the due diligence when it comes to the height of buildings (max 18 m), the duty to keep the proper number of parking spaces as well as the introduction of greenery and the elements of street furniture in the area. The mentioned elements increase the esthetic value of the area in significant way as well as improve its functional advantages. The regulations included in the plan specify the rules of will-be extension of the building, which is important from the perspective of space order.

Another example presents a model solution. The construction and opening of the Plaza mall in 2011 had been preceded by the passing of the local land development plan (City Council of Toruń, 2007a) in 2007. The plan introduced a number of regulations, guidelines and points of both general and specific character, which e.g. guaranteed Plaza the title of Budynek Roku (Building of the Year) edition 2011-12 in the town contest. Moreover the building in question is perceived as a symbolic western gate of the town, which proves its significance, prestige, and space-creating role. The regulations of mpzp turned out to be priority, a frame, which later on filled with architectural tissue. Most of all the planners focused on the coherence of the investment process,

organized, i.e. based on one project of space development. Additionally, they aimed at making the investment a dominant element of the area with high esthetic values. Moreover, attention was paid to individual stylistic form of the building, its ergonomics as well as the high quality of finishing materials along with the particular care for architectural details. The regulation introducing greenery, including the strip of isolation greenery from the side of residential buildings, is of significance too. These elements are of esthetic, artistic, and functional meaning, since they are a kind of visual barrier that separates the service space from other kinds of human activity, defining it explicitly in the urban space.

There is no doubt that the large size commercial amenities are a permanent feature of the urban space of Toruń. It is confirmed by the fact that two more large commerce and service centres are being planned. One of them is located on the western outskirts of the town (drawing no 3). By the end of 2013 the investor was to intending to build there Karawela mall. However, at the beginning of 2014 the investor's vision had changed. According to the new concept there is going to be built a clothes outlet-Outlet Toruń. The area, where this complex is supposed to be built in the past used to be the chemical industry area. The revitalization of this place, by constructing there a large size amenity, is the town's idea of revitalizing former industrial areas.

The growing interest of investors in areas meant for the development of large size commerce in Toruń has inclined the town authorities towards passing the local plan (City Council of Toruń, 2007b) in which the basic purpose of the area in question was decided for the location of commerce

amenities of the size over 2000 square meters. Moreover, in the planning document a reservation was made that commercial amenities would have to be marked out with an individual stylistic form of buildings as well as high quality of finishing materials. It is of importance since up to recent times large size amenities had standardized architectural form. Their similarity was stunning. This resulted from the need to take as much advantage of commercial space as possible. Therefore even a decade ago standardized, not diversified, and dull buildings were constructed. Fortunately, it is more frequently now that the town authorities, also the ones in Toruń, see the need to shape the space in an interesting way, according to the rules of space order and already existing culture landscape.

Solaris Center mall, the second of the planned large size amenities, is to be constructed north of the historical centre of the town. It was already in the 1960s that the construction of a commercial and shopping centre had been planned in the vicinity of the Old Town. The centre was supposed to relieve the historically shaped area of the Old Town, which after the construction of the commercial complex was to function as the unique historic urban and architectural complex and large centre of tourism. However, this new centre of planned size of 250,000 square meters on the area of 26 hectares never been built.

The plans reappeared at the end of the first decade of the 21st century. In 2007 an investor appeared who was interested in an area for the construction of commerce and services centre almost in the heart of the town. The town authorities responded to his plans with the creation of local land development plan called accordingly Nowe Centrum (The New

Centre) (City Council of Toruń, 2008). The area included in the plan were intended for the construction of commerce and service amenities of the overall space of over 2000 square meters as well as office complex. Due to the specific location of the analyzed area the regulations concerning the architectural form of the buildings to be constructed were elaborated in the local plan. Apart from an obvious requirement of applying the solutions of high architectural standard, there was also an order to design the buildings in the way that would emphasise the character of the place as architectural dominant of the new town centre. The building or the complex of buildings to be built must be coherent when it comes to space and functions. Due to the fact that the commercial and service centre is to be located in one of the main streets leading to the Old Town of Toruń, the authorities assumed that the area included in the plan should make a coherent urban interior. What is more, because of the vicinity of the Old Town the newly constructed building should in no way upset the landscape and the expositions of the Old Town, but create a kind of counterpoint while being a co-dominant at the same time.

The last one of the discussed is the Shopping Centre Bielawy placed in the eastern part of the town nearby the motorway to Gdańsk and Warsaw. The complex, completed in 2002, includes the biggest food hypermarket in Toruń, Carrefour, boutiques, and two more detached large size shops: a DIY and a car accessories one. The centre in question is the only one built without previously set local land development plan, however the required and crucial urban guidelines were placed in the decision on the conditions of

development. Such a decision is not a local law, but merely an administration document necessary to get a permission for a construction in case of the lack of mpzp. The regulations included in the decision turned out to be properly specified since Bielawy became the shopping centre for the inhabitants of the eastern part of Toruń and the neighboring areas, fulfilling its economic and space functions efficiently.

### 6. The summary

In the article it was indicated that space planning policy is a significant task of local authorities in Poland, most importantly in cities. Local land development plans assist in the integration of the space planning systems at the state, regional, and basic administration levels. They have a significant influence on the architectural and urban shape of cities, and at the same time affect indirectly social relations as well as environmental and cultural aspects which derive from the others.

Basing on the review of the most important titles and legal acts one may draw conclusions which are at the same time responses to the research questions put in the article.

1. Spatial planning is a complex activity of interdisciplinary nature, hence it requires taking into consideration numerous factors, both the ones resulting from historical conditioning, as well as the ones that will be of importance for a will-be investor and the society. It is also important that spatial planning enables steering the processes of space management in a holistic way, since guidelines included in local land development plans are preceded by a long-lasting

architectural, urban, social and economic analysis. Therefore the establishing of the plan should be perceived as the detailed and accurately fitted to a particular area. It is of great significance that at each stage of the creation of the plan local community is involved, i.e. can put forward proposals, make remarks, and participate in public discussion, which allows the full adjustment of local plans to the local needs. That being so, rational space management is possible in great measure by establishing mpzp, and following their regulations.

2. In light of the above considerations, Local land development plans are acts of local law and determine detailed rules of managing a particular area. Decisions included in plans undoubtedly affect the shaping of the environment of inhabitants of the area, and the perspectives of the investments. Areas with a plan are more attractive for investors since the plan includes a kind of a development scenario for this particular place, as well as the nearby areas, which is of great importance in the investment process, which is of long-lasting nature as a rule.
3. In the first decade after the change of economic system in Poland the development of large size commercial and service amenities was chaotic and incautious. The esthetic side of the investment was also neglected (standardized buildings, the lack of care when it comes to architectural details). After the new bill on planning and space development had been passed, the situation began to improve. Local plans impose on investors taking into consideration all the functional, socio-economic, environmental, culture, and esthetic (e.g. size,

finishing materials, architectural details, greenery) conditions and requirements.

4. Toruń is an important regional centre and the town of rich tradition and history. Therefore the space planning policy of the authorities should particularly take into consideration the rules of space order. Taking as examples chosen local plans made for Toruń it was proved that urban planners set right rules (for example: architectural form of the buildings, height of buildings, quality of materials) which should be obeyed during the construction or extension of large size commercial and service amenities. As a result large size shops have become local centres concentrating both commerce and local communities. Local land development plans are the basis determining the architectural form of planned buildings, and this on the other hand determines the function of the building. Therefore their role is crucial in the investment process. Spatial policy of the city of Toruń provides the further perspectives of the development of other facilities in the context of existing planning documents, which is typical for developing cities.

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