

York Minster Precinct Neighbourhood Development Plan

Independent Examiner's Clarification Note

Context

This note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt, matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The wider package of examination documents has been prepared and presented in a very professional and effective manner. It is clear that the Plan's approach is both evidence-based and built on engagement with the local community and specialist bodies. The relationship between the submitted Plan, the Heritage Impact Assessment and the Conservation Management Plan is exemplary.

The maps are very informative and clear. In addition, the photographs add interest and emphasise the role and the purpose of the Plan's policies.

The other submission documents are produced to the same standard. The integrity of the wider package provides assurance that the Plan sets out to promote sustainable development which properly takes account of the context and importance of the Minster Precinct.

The points for clarification have been prepared within this wider assessment. They seek to ensure that the submitted document can proceed effectively to the final stages of the plan-making process.

Points for Clarification

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now in a position to raise some initial issues with the Neighbourhood Forum for clarification.

The comments that are made on these points will be used to assist in the preparation of the examination report. They will also inform any recommended modifications that may be necessary to ensure that the Plan meets the basic conditions.

Policy A1

As I read the policy its initial section is largely a summary of Section 5 (Vision and Objectives) rather than a land use policy.

Similarly, the four principles in the second part of the policy read in a way which may be better incorporated within the details of Policy A2.

Does the Forum have any comments on these observations?

Policy A4

This is an excellent policy.

For my clarity, should the first two matters in the list of criteria have bullet points to reflect the approach taken in relation to the other criteria in the policy?

Policy C1

This is another excellent policy.

However, are its final three paragraphs supporting text rather than policy?

Policy C2

The third paragraph reads as supporting text (as a process matter) rather than policy. As such, I am minded to recommend that it is deleted and repositioned into the supporting text.

Does the Forum have any comments on this proposition?

Policy C3

This is another excellent policy.

However, are its final two paragraphs supporting text rather than policy?

Project Areas

The four policies have been very well-considered. They are supported by excellent maps/parameter plans.

They have an excellent connection with the broader initiatives for the Minster Precinct as set out in the Conservation Management Plan and the 2015 Strategic Plan.

Policies PA3 and PA4 differ slightly from Policies PA1 and PA2 in their references to the need for a development brief and pre-application discussions respectively.

Was this difference in approach intentional?

In any event, might the references to the need for a development brief (PA3) and pre-application discussions (PA4) be better expressed in the relevant supporting text rather than in the relevant policy?

Representations made to the Plan

Does the Forum wish to make observations on any of the representations made to the Plan?

In specific terms:

- does it have any observations on the representation made by the City of York Council (either generally or on the Project Areas in particular)?
- does it have any observations on the representations which express concern about the loss of trees?
- does the reference to 'poor quality trees to be replaced' in the Plan relate to the assessment work undertaken by Barnes and Associates in 2016?

Protocol for responses

I would be grateful for comments by Friday 29 October 2021. Please let me know if this timetable may be challenging to achieve. It reflects the factual basis of the questions raised.

In the event that certain responses are available before others, I am happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled, please can all responses be sent to me by the City of York Council and make direct reference to the policy concerned.

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Independent Examiner

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