



## **York Minster Precinct Neighbourhood Plan**

### **Final Decision Statement published pursuant to Section 38A (9) and (10) Planning and Compulsory Purchase Act 2004 (as amended) and Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012 (as amended)**

#### **1. Summary**

Following a positive referendum result on the 10<sup>th</sup> May 2022, City of York Council is publicising its decision of 16<sup>th</sup> June 2022 by the Executive to 'make' the York Minster Precinct Neighbourhood Plan ("Neighbourhood Plan") part of the City of York Development Plan with immediate effect, in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

#### **2. Background**

York Minster Precinct Neighbourhood Plan Forum (YMNPF), as the qualifying body, successfully applied for the Minster Precinct Neighbourhood Plan to be designated as the Minster Precinct Neighbourhood Area under the Neighbourhood Planning (General) Regulations (2012) on 14<sup>th</sup> March 2019. The Neighbourhood Plan describes the focus of the neighbourhood area as the Cathedral and Metropolitan Church of St Peter, in York, better known as York Minster. The Neighbourhood Plan does not follow any particular parish or ward boundaries, but lies within an area of approximately 6 hectares, bounded by the historic city walls to the north and west and by city streets to the south and east.

YMNPF undertook pre-submission consultations on the draft Neighbourhood Plan in accordance with Regulation 14. Consultation on the Pre-Submission Version took place between 11<sup>th</sup> January and 23<sup>rd</sup> February 2019. A second Pre-Submission consultation took place between 16<sup>th</sup> December 2020 and 14<sup>th</sup> February 2021.

Following the submission of the Neighbourhood Plan to the Council on 26<sup>th</sup> April 2021, the Council publicised the draft Neighbourhood Plan for a six-week period and representations were invited in accordance with Regulation 16. The 'Submission' consultation took place between 14<sup>th</sup> July and 8<sup>th</sup> September 2021. All duly made representations were forwarded to an independent Examiner, Mr Andrew Ashcroft BA (Hons) MA, DMS, MRTPI, who was appointed by the Council to review whether the Plan met the basic conditions required by legislation and whether the Plan should proceed to referendum.

### **3. Decision and Reasoning**

The Examiner's Report concluded that subject to a series of recommended modifications, the Neighbourhood Plan met the necessary basic conditions (as set out in Schedule 4b (8) of the Town and Country Planning Act 1990 (as amended) and subject to these modifications being made it could proceed to a local referendum.

At Local Plan Working Group on 7<sup>th</sup> March 2022 and Executive on 17<sup>th</sup> March 2022, Members accepted the Examiner's recommendations (in line with the Neighbourhood Plan Regulation 17A (2) Consultation) and agreed that the Neighbourhood Plan as so modified should proceed to referendum.

A referendum on the modified Neighbourhood Plan which incorporated the Examiner's modifications was held on Tuesday 10<sup>th</sup> May 2022 and 83% of those who voted were in favour of the Neighbourhood Plan. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that the Council must 'make' the Neighbourhood Plan if more than half of those voting have voted in favour of the Plan. unless (under Para 38A(6)) this would breach, or would otherwise be incompatible with an EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

The referendum held on 10<sup>th</sup> May 2022 met the requirements of the Localism Act 2011; it was held in the York Minster Precinct Neighbourhood Area and posed the question:

**Do you want City of York Council to use the Neighbourhood Plan for Minster Precinct to help it decide planning applications in the neighbourhood area?**

The count took place on the 10<sup>th</sup> May 2022 and greater than 50% of those who voted were in favour of the Plan being used to help decide planning applications in the plan area.

The results of the referendum were:

<b>Response</b>	<b>Votes recorded (percentage)</b>
Yes	83%
No	17%
Turnout	21.47%

The Council considers that the York Minster Precinct Neighbourhood Plan meets the basic conditions (set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 as amended), its promotion process was compliant with legal and procedural requirements and it does not breach the legislation (set out in Section 38A(6) of the Planning and Compulsory Purchase Act 2004 (as amended)).

#### **4. Inspection of Decision Statement and made Neighbourhood Plan**

This decision statement, declaration of referendum results and related documents can be viewed on the City of York Council website:

<https://www.york.gov.uk/MinsterPlan>

The decision statement can also be viewed on the York Minster Precinct Neighbourhood Plan website:

[York Minster Neighbourhood Plan | York Minster](#)

In accordance with Regulation 20 of the Regulations, the 'made' York Minster Precinct Neighbourhood Plan can be viewed on the Council's website:

<https://www.york.gov.uk/MinsterPlan>

The Neighbourhood Plan can also be viewed on the York Minster Precinct Neighbourhood Plan website:

[York Minster Neighbourhood Plan | York Minster](#)

A copy of this decision statement is being sent to:-

- The qualifying body, namely York Minster Precinct Neighbourhood Plan Forum; and
- To any person who asked to be notified of the decision.

Paper copies of this statement and the made Neighbourhood Plan can also be viewed at the following locations:

**York Explore Library, Library Square, York, YO1 7DS**

(Monday 9am-8pm, Tuesday 9am-8pm, Wednesday 9am-8pm, Thursday 9am-8pm, Friday 10am-6pm, Saturday 9am-5pm, Sunday 11am-4pm)

If open at the time of the Neighbourhood Plan Adoption (post 16<sup>th</sup> June 2022) five hard copies are available in York Explore Library.

The Neighbourhood Plan Adopted Version and this Decision Statement will also be available to view online via computer access at Explore Libraries, if open at Adoption (post 16<sup>th</sup> June 2022). Computer access will be in line with the library opening hours and the protocols in place for Covid 19, such as booking computer access by appointment only. For further information on computer access, please see: <https://www.exploreyork.org.uk/libraries/>

**York Minster Stoneyard, The Works Department, 4 Deangate, York, YO1 7JA.**

Viewing at the York Minster Stoneyard is via prior arrangement only - please contact Sally-Ann Long ([sally-annl@yorkminster.org](mailto:sally-annl@yorkminster.org)) to arrange to view the documents.

**City of York Council Offices, West Office's Station Rise, York, YO1 6GA**

Hard copies of the Neighbourhood Plan Adopted Version and this Decision Statement will be made available, after adoption (post 16<sup>th</sup> June 2022), at West Offices, if open and will be available to view by appointment only. Should you wish to arrange an appointment, you should contact the Forward Planning team directly on (01904 552255). Access to the documents will be in line the protocols in place for Covid 19, such as quarantine of documents after use.

If you do not have internet access, you should telephone 01904 552255 to discuss and/or arrange a viewing, including where appropriate access to hard copies subject to prevailing Covid 19 measures and public health advice. Officers will only seek to provide hard copies on request for those who have no other means of access.

For further information please contact the Neighbourhood Planning team on [neighbourhoodplanning@york.gov.uk](mailto:neighbourhoodplanning@york.gov.uk) or 01904 552255.

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16<sup>th</sup> June 2022