

**PLANNING AND CONSERVATION IN  
ISTANBUL BOSPHORUS AREA:  
OPPORTUNITIES AND CHALLENGES**

**Ahsen Özsoy  
Nuran Zeren**

Istanbul Technical University  
Faculty of Architecture  
80191, Istanbul – TURKIYE

30th RSA European Congress  
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**INTRODUCTION**

The Bosphorus is a unique spot of natural beauty in that it both separates and unites the two continents, namely Europe and Asia. Starting from the ancient times, it has acted as a bridge between the East and the West serving as an important waterway connecting the Black Sea and the Mediterranean.

The Bosphorus stretches as a canal changing its direction at five points. The two banks are almost parallel to each other and the bays on one bank mostly have a promontory corresponding to them on the other bank. On both sides there are parallel valleys separated from one another by hills of 100 to 200 meters high.

The land behind the coastal strip of the Bosphorus has a sudden and steep rise from the sea level. The slope which is 10% on the European side reaches up to 30% and beyond at places. On the Asian side, the slope around 5% increases towards further north. The steeper hillsides are naturally covered with bushes and woods.

The topographical characteristics of the Bosphorus, i.e. the fact that there are few large plains and that the hillsides are rather steep, have affected the use of this area, together with the choice and the development of the settlements since ancient times.

Although the first settlements on the Bosphorus were located on the small flat pieces of land where the detached valleys opening up to the waterway in harmony with nature, these villages later on gradually climbed up the hillsides. Unfortunately, today, the settlements on the Bosphorus are rapidly escalating from the hillsides towards the hilltops and destroying the historic and natural environment, thus damaging its unique beauty.

Planning authorities and related institutions have emphasized, time and again, the importance and necessity of protecting the unique beauty and peculiar characteristics of the Bosphorus, and tried to take decisions and measures in order to guarantee its planned development.

So many efforts made, so many decisions and measures taken, a number of acts passed and several plans prepared in order to protect the natural and the historic values of the Bosphorus area and to help it develop in a planned way have not been enough to check the extra demand for this exquisite area of natural and historic beauty, which also has a high economic land value. Unfortunately, the Bosphorus area has now become a political and legal battlefield between those who want to protect it and those whose interests lie in the area and who are after obtaining high profits by owning a piece of valuable land and/or by means of high density building construction. Arrangements made to secure protection and planned development have been too often changed by the central and the local authorities under economic and political pressures, especially before each general election. Although legal objections to these changes made by professional organizations and academic bodies have at times been successful in reversing the decisions, considerable damage has been done in the periods that elapsed in between the contradictory decisions.

The aim of this study is to undertake an evaluation of those practical examples that show how the planning policies and decisions concerning the protection and the development of the Bosphorus are reflected on the general area to be conserved. In this connection, first the historic development of the Bosphorus will be summarized as a background, then the planning and conservation decisions taken and special laws passed will be studied as to their aims; and the effect of these rules and regulations on the space concerned will be discussed in detail in terms of the protection and destruction of natural beauties and historic environment.

This study has been based on observations and surveys made on site and also on archive research into former studies. In this respect, the records of the Official Gazette, the archives of the Bosphorus Development Office, the archives of the related Municipalities, the archives of the Chamber of Architects, the archives of the related Conservation Committee of Historic and Natural Entities have been used along with the archives of the daily newspapers which offered the possibility of following up on the details on a day to day basis.

## **HISTORICAL DEVELOPMENT OF THE BOSPHORUS AREA**

Early settlers on the Bosphorus were religious communities, in the Byzantine Period that gathered round the first temples and chapels; however, these small communities gradually grew into small villages, and with the coming of the Turks, these settlements gained in economic and cultural significance. In the Ottoman period, the Bosphorus acquired the characteristics of a favorite summer resort and thus the number of the settled areas increased. After the 1950s, the social and economic changes in general, and the rapid increase in the population of Istanbul have forced the Bosphorus to turn into urbanised areas.

### **Early Settlers on the Bosphorus:**

According to research findings, there were no significant settlements on the Bosphorus area before the Byzantine period. The number of archeological findings from this period have been very few indeed. Information about life on the Bosphorus in the ancient times is derived mostly from legends, stories and mythology, and only few of which have been documented. The word of Bosphorus also comes from mythology. The first word "boos" means "ox" in Greek and the second word "phoros" means "crossing". According to Greek Mythology, one of the Goddesses, disguised as an ox had crossed the strait; thus the early Greek colonies called the place "Bosphorus", meaning "ox-crossing"(1).

The people of the colony living on the Black Sea were thought to have prayed and made offerings to the Gods before setting out to the sea. There were temples and shrines on the hillsides protected from the wind and at the bottom of the valleys or on the banks of the rivers into which small boats could enter. It is highly probable that the first settlement on the Bosphorus, "Chrysopolis (the city of Gold)", was established on the steep hillsides of Scutari, as a far off wharf connected with the settlement of Chalcedon, which had been identified as the first settlement of Istanbul, established between the Kadikoy Bay and the Kalamis Bay (2).

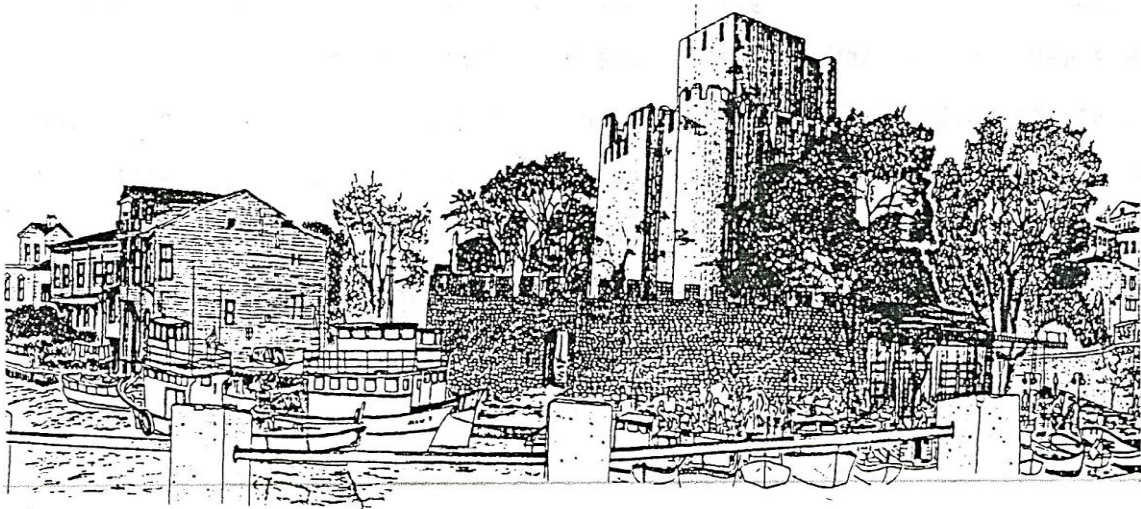
### **The Byzantine Era:**

It is known that the Bosphorus had great significance as a passage-way in the Byzantine era; however there is not much information about the history of the settlements on the two shores. It is estimated that there were no large settled areas in this era; and the few settlements that existed were small villages, religious buildings, palaces and monasteries detached from the main urban settlement. In these small villages, existing independently of Byzantium and living on agriculture and fishing, there reportedly were some hunting and summer kiosks and a large number of monasteries and churches (3).

#### The Ottoman Imperial Period:

During the Ottoman Imperial period, villages on the Bosphorus turned into larger settlements consisting of summer resorts with yalis and palaces on the coastal strip and of permanent settlements and farms in the inner parts relatively far from the coast. After the Ottomans had conquered Istanbul (Mehmet the Conqueror) in 1453, the first Turkish quarters were established around Anadoluhisari and Rumelihisari. Later, a new quarter emerged in Baltalimani, and the Christian villages remaining from the Byzantine era continued their existence (4).

In the XVI Century, the Bosphorus underwent a significant change in that it began to be used as the summer resort area by the court and the high ranking state officials. In fact, during the reign of Suleiman the Magnificent a big palace was built in Çengelköy; and during the reign of Murat III several summer palaces were built in Kandilli and Beykoz. In the time of Selim I, the Bebek Park was arranged with a small summer palace built in it; during the time of Selim II, the Buyukdere Park in Buyukdere and Feridun Bey gardens in Emirgan were well-known summer resorts.



In the XVI Century the need for transportation grew, and the regular boat services had been started between the two sides of the Bosphorus. There were shared passenger boats running as well as private ones. And in the XVII Century sea transportation provided a significant part of the intra-city transportation and the state tried to supervise the boat services as much as possible.

In the XVII Century, the settlements gradually took over the Bosphorus area, which had now begun to lose its exclusive character of being a suburb. In line with this, Tophane which is at the starting point of the Bosphorus area, had turned into a large urban settlement comprising

seven mosques and a large shopping area in Salipazari. In the time of Ahmet III, the West coast-line of the Bosphorus was covered with the mansions and yali's of the courtiers from Salipazari down to Bebek; and the East coast-line had approximately a hundred small palaces and kiosks mostly situated in Scutari.

From the XIX Century on, it can be observed that the Bosphorus has become the favorite summer resort area with foreign embassies. A good example is Tarabya, a popular picnic area in the XVIII Century, which became the summer abode of the foreign embassies in the XIX Century. And Buyukdere, which was a favorite green area and amusement place during the reign of Selim II, turned into an area where embassies had their yalis built and the European fashions and traditions were displayed.

By mid XIX Century, quite a large system of sea transportation had been developed to connect the villages on the Bosphorus, the quarters of Uskudar and Kadikoy and also the coastal villages on the Sea of Marmara both on the European and the Asian sides. Later on, this system was further developed to connect the coastal villages to the urban trade center in Karakoy and Eminonu. Getting more and more centralized, the sea transportation system on the Bosphorus put the connections between the coastal villages in a secondary position.

At the beginning of the XX. Century, the network of ferryboat transportation was added to the system in order to enable motor traffic to continue without any interruption.

The Foundation of the Turkish Republic:

The foundation of the Turkish Republic in 1923 became a turning point in the evolution of the Bosphorus area as well. The disappearance of the Ottoman courtiers, who were instrumental in the development of the Bosphorus environment, and the slow increase in the population of Istanbul prevented the development of the settlements on the Bosphorus. Up to the 1950s construction activities on the Bosphorus area had been rather slow and even the yali owners had difficulty in keeping up their property.

After the 1950s:

After the 1950s construction and/or widening of the roads had been undertaken, and with the coming of the new sea transportation facilities the Bosphorus area came to be a more attractive location for the industry and related settlements.

The other reason for the industry to develop in the Bosphorus area in these years was the adoption of the "Plan for Industrial Zones". With the 1955 Istanbul Regional Plan for Industry, Pasabahce was encouraged to develop as an Industrial Area by the State Planning Authorities (5). The main industrial facilities built in this section are the Pasabahce Glass Product Factory and the Monopoly Spirit Works, both owned by the public sector. Another very important industrial facility built in Beykoz was the Beykoz Leather and Shoe Factory owned by Sumerbank, which again belonged to the public sector. The Fuel Depots in Cubuklu were the most harmful facilities built in the same period, as they pose a constant threat of fire to the whole area.

On the European side, the Istinye Valley was formerly accepted as an industrial area and opened to the construction of industrial facilities in 1969 (6). The Istinye Docks, operating on and around the Istinye Bay since 1907, plants and factories along the Istinye Stream and squatter settlements of the workers employed in these facilities continue creating problems for the environment. And in Buyukdere, which is one of the major bays on the European side of the Bosphorus, industrial plants producing electrical equipment, durable steel goods, car parts like exhaust pipes etc. are situated along the valley. The negative effects of the misallocated development can easily be seen both on the European and Asian sides of the Bosphorus.

The largest and the high density squatter settlements in the Bosphorus area coincide with those sections where the industrial facilities are the most commonly found. Squatter areas on the Asian side have appeared in Beykoz, Incirkoy, Pasabahce, and Cubuklu, all of which have industrial facilities. On the European side, a similar phenomenon can be observed, where the squatter areas concentrate around the docks in Istinye and in Hisarustu.

#### The Bosphorus Today:

Today, the Bosphorus is under the pressure created by the Metropolitan Istanbul, which is going through a phase of rapid transformation in terms of urban intensity and expansion. The rapid increase in the population of Istanbul, which is approximately 4.18% per year (1980-1985), forces the rural and natural make-up and history of the Bosphorus to turn into urbanized areas (7). In this process of unexpected urbanization, historic settlements and natural spots are being replaced by luxury dwellings and concrete apartment blocks as demanded by high and middle-income groups; and some other parts of the Bosphorus are being covered by squatter areas built by low-income groups.



On the other hand, after the construction of the two suspension bridges over the Bosphorus in 1973 and 1989 and their related motorways, the use of land on both sides have been strongly affected. The bridges and related motorways have destroyed the green areas on the hillsides and brought a rapid development of co-operative housing and squatter settlements in the Backscene and the Buffer Zones. The first bridge led to the development of various central functions at and around the connection points on both sides, which resulted in the construction of quite high office buildings affecting the skyline especially on the European side.

Linder these circumstances, the Bosphorus is in danger of losing all its natural and historic value under the pressure caused by the planned and/or unplanned rapid urbanization and the unhealthy artificial environment caused by hectic industrialization.

#### **PLANNING AND DEVELOPMENT ACTIVITIES CARRIED OUT IN THE BOSPHORUS AREA**

The most distinguished characteristics of the Bosphorus area are the greens, woods, parks, the curving coastlines, the green valleys, the picnic areas, historic values, villages, the yalis, the low waterfronts, and the promenades. In the framework of the Istanbul Master Plan the Bosphorus Area was accepted as a "conservation site" so as to protect these characteristics. In this site, which was to be protected as an organically whole landscape and used as a recreational area, the priority was given to the Coastal Zone remaining between the coastal road and the sea.

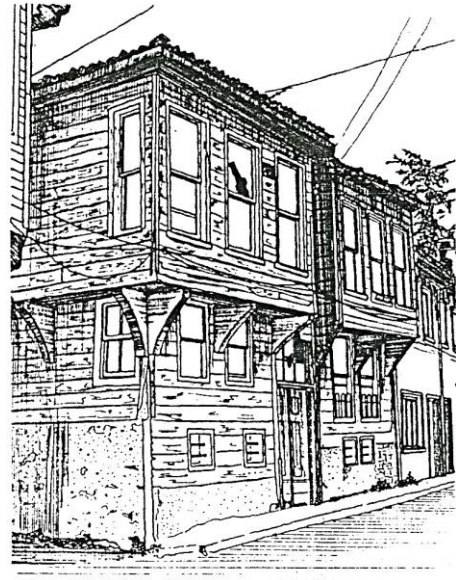
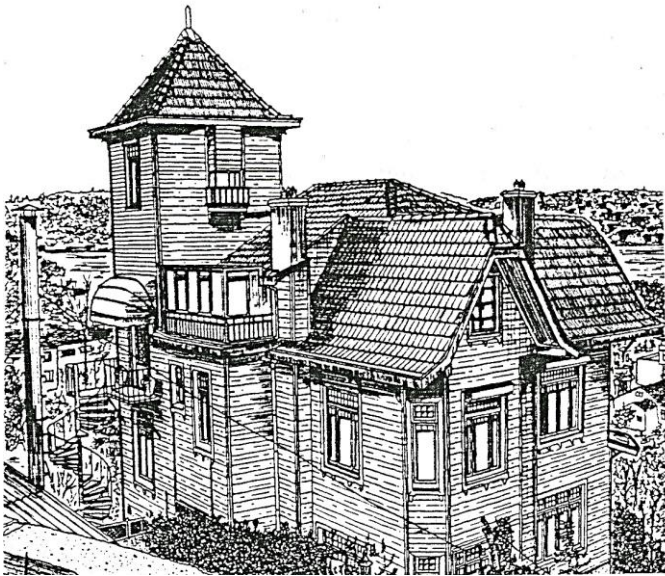
Planning and conservation activities carried out in the Bosphorus area as a site has been quite recent. Up to the 1970s, building activities in the villages on the two banks of the Bosphorus had been carried out according to the village development plans of 1941, 1950 and 1954 with the scale of 1/2000 and according to the limited local development plans of various dates and scales (8).

##### **The First Attempts to Protect the Bosphorus Area:**

The first attempt to protect the Bosphorus area was a decision dated October 10, 1970 for the listing and designation of the historic yalis of the Coastal Zone (9). With the revision of this decision dated May 13, 1972, 89 First Group, 209 Second Group, 67 Third Group, total 365 examples of civil architecture were listed and designated (10).

Distribution of the listed buildings as to the township of the Bosphorus area:

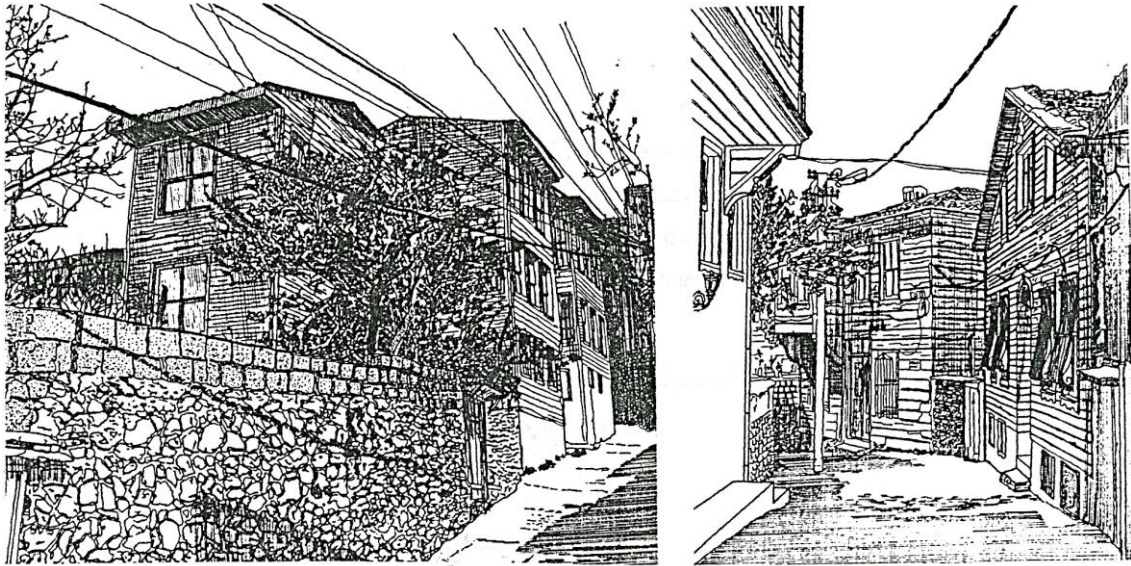
Township	The First Group	The Second Group	The Third Group	
Besiktas	6	31	1	
Sariyer	41	74	20	
Uskudar	24	40	19	
Beykoz	18	64	27	
TOTAL	89	209	67	365



Examples of the first and second group civil architecture in the Bosphorus:

The Bosphorus area was first taken up as a planned conservation site with the Coastal Zone Conservation Plan in 1971 of the scale of 1/5000 (11). This plan, however, comprised only the coastal strips on the Bosphorus and stipulated that the existing historic yalis and other historic buildings should be designated and taken under conservation, and that in the empty lots, only those buildings in harmony with the historic buildings of a maximum height of 9.50 meters would be allowed (12).

In 1973, with Act No 1710 of Antiquities coming into force, development activities in the Bosphorus area were directed according to the conservation decisions of the Supreme Council of Immovable Antiquities



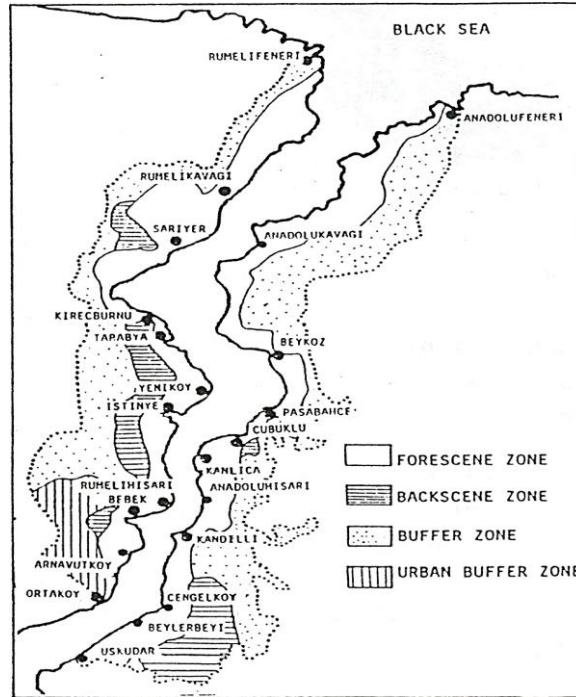
Examples of the street patterns in the Bosphorus area and Monuments (SCIAM) (13). Another important step taken in 1973 with the aim of taking under conservation the natural as well as the historical values in the Bosphorus area stipulated that the woods and the greens would be listed and designated, that construction in the public woods would be prohibited and that the manner of using private parks would be decided according to the decisions of SCIAM (14).

#### The Master Plan for the Conservation of the Bosphorus:

The first master plan with the scale of 1/5000 comprising the whole of the Bosphorus area came into force on June 3rd, 1977, and was later revised in 1978 and in 1979 (15). The activities being carried out according to the plan of 1979 were stopped in 1980 by SCIAM on the claim that it contained clauses adverse to conservation regulations (16).

A new plan prepared according to some new principles was approved and brought into implementation in 1982(17). In this new plan, the Bosphorus area had been divided into four sections as the Coastal Zone, the Forescene Zone (total 4300 hectars), the Backscene Zone (1000 Hectars), and the Buffer Zone (5300 hectars) , and the building height had been limited to 9.50 meters. The plan had stipulated the conservation of woods and greens, had set the terms for building development in private parks, and had created space for new housing areas. This practice also suffered from some limitations brought on by the decree of the Cabinet dated in January 1983 (18). This Cabinet decree stipulated that no new building permission would be issued until a new master plan and a development plan with the scale of 1/5000 and 1/1000 had been prepared in order to prevent and rearrange all kinds of new developments that

would otherwise destroy the historic and natural beauty of the Bosphorus area and that would also encourage the population density. Only the repairs and restoration work on the listed buildings would continue; woods and greens owned by the municipality would be given the "forest statute"; land owned by the Treasury would be protected and kept green, and industrial plants would be removed.



#### Allocation of the zones in the Bosphorus Conservation Area

**The Coastal Zone:** The coastal strip following the curves of the Bosphorus waterway.

**The Forescene Zone:** The geographical area connected to the coastal zone where the most impressive landscape of the Bosphorus area is situated; this zone consists of the inner space on the Bosphorus area which has priority in terms of conservation and is limited by the highest skyline as seen from the Bosphorus.

**The Backscene Zone:** The geographical area separated from the Forescene Zone and the inner space of the Bosphorus; this zone adds depth to the inner space and is limited by the patterns forming the other lines of the Bosphorus area.

**The Buffer Zone:** The zone consists of the space remaining outside the Coastal, Forescene and the Backscene Zones of the Bosphorus area; which is divided into two as the Rural Buffer Zone and the Urban Buffer Zone.

The Cabinet decree also predicted that the Master Plan and the development plan for the Forescene Zone would be completed within a period of three months. Therefore, a planning committee consisting of the members from the Municipality of Istanbul, from the Greater Istanbul Master Plan Office, and from the Bank of Provinces prepared the Master Plan with the scale of 1/5000, and the Conservation Development Plan with the scale of 1/1000 for the Coastal and the Forescene Zones, both of which were put into practice on July 22nd, 1983 (19). The plans prepared according to the Cabinet decree were double-checked with the general plan decisions relating to the conservation of the Bosphorus within the metropolitan area of Istanbul and were reassessed in terms of recreational and housing areas.

In the new Master Plan, the following decisions were adopted as the main principles: No new construction would be allowed in woods and/or in the vicinity of woods; the Coastal Zone would be rearranged as promenades; green areas would be opened to the use of the public with restaurants, cafes etc., the plots belonging to the Treasury and to the local authority would be offered to the use of the public specifically; the Bosphorus area would not be open to urbanized functions; no buildings of health facilities, universities, colleges or main offices for the private and the public sectors could be built; no new industrial areas could be created, and the existing ones would be removed (20).

The land use in the Coastal and the Forescene Zones as stipulated by the new Master Plan (21):

Land Use:	Space (hectars):
Housing	1200
Greens	2600
Tourism, recreation, social and cultural activities	100
Public Institution, Commerce	400
TOTAL	4300

From the above distribution, it can be seen that housing was given considerable space in this Master Plan.

The Bosphorus Act No 2960:

The practices that have been continuing since the 1970s had shown clearly that, the conservation and planned development of an area as unique as the Bosphorus, the regulations and the plans were far from being satisfactory and that a special act only for the conservation of the Bosphorus area was needed.

In fact, in November 1983, four months after the plan of July 22nd, 1983 had been implemented, the first Conservation Act concerning a

special area was issued, which came into force as the Bosphorus Act No 2960 (22). The aim of this special new act was to protect and develop the historic and natural values of the Bosphorus for the benefit of the public and to limit the number of those types of buildings which would encourage population intensity. A new organizational scheme was established for the conservation, planning and implementation of the Bosphorus with this specific act. The aim of this scheme was to define and arrange the conservation and building regulations to be applied specifically to the Bosphorus area. The organizational scheme set up by the Bosphorus Act consisted of three offices: 1. the Bosphorus Development Office (a planning body); 2. the Bosphorus Building and Administrative Board (a public administrative body); 3. the Bosphorus Supreme Committee for the Coordination of Building Construction (a coordinating body).

The Bosphorus Act No 2960 stipulated that the construction of new houses would be completely banned on the Coastal and the Forescene Zones, that only the historic listed buildings would be restored and that touristic and recreational facilities could be built; thus the 1983 plan completely lost its effectiveness especially in regard to creating new space for housing.

The Bosphorus Act No 2960 specified that, as a first step, those facilities like quarries, kilns etc. spoiling and damaging the natural beauty should be closed down. The environment damaged by the closed-down facilities would be re-arranged so as to be restored to its original natural state. Then, the coal and fuel depots, the docks and the plants would also be removed from the Bosphorus area. The Cabinet was to arrange a proper site for all these facilities somewhere outside the Bosphorus area. The Bosphorus Development Office had the authority to carry out the arrangements and the implementations. Therefore, some of the facilities that have to be removed from the Bosphorus area are the Sumerbank Leather and Shoe Factory (in Beykoz), the Glass Products Factory (in Pasabahce), the Fuel Depots (in Cubuklu), the Plywood Plant (in Anadoluhisari), the Oil Plant (in Vanikoy), the Match Plant (in Istinye), the Brick Plant (in Buyukdere), and the Coal Depots (in Kurucesme). The Coal Depot is the only facility that has so far been removed. All the depots, warehouses and offices on the Ortakoy-Kurucesme section of the coastal strip were removed in 1986 and this cleared section of 14 000 sqm was re-arranged as a green area and a public park (23).

The Construction Act No 3194, Clauses 46,47,48 and Provisional Clause 7: While conservation practices and new developments were being carried out as stipulated by the Bosphorus Act No 2960, a new act, the

Construction Act No 3194 was brought into force, which led to some changes in the Bosphorus Act No 2960 (24). With Clause No 46, Act No 3194 abolished the Bosphorus Organizational Scheme, which had been set up according to the Bosphorus Act, and assigned the task of planning and approval in the Coastal and the Forescene Zones to the Greater Istanbul Municipal Council, The Mayor of Grater Istanbul and the Supreme Committee for the Coordination of Building Construction, in the Backscene and Buffer Zones to the related Township Council and Greater Istanbul Municipal Council (25). Act No 3194, Clause No 47 changed the principle "No planning alterations can be made in the present plan to increase population and/or building density" as "some planning alterations can be made in the present plan taking into consideration the population and the building density". This clause of the said act also stipulated that construction can be allowed in the Forescene Zone with a minimum plot size of 5000 sqm, with no dividing into plots, and the building ratio not exceeding a maximum of 6% and a building height of two storeys; the number of blocks would be free to choose. It was also accepted that the same principles would apply to forests, woods, to afforestation and green areas (26).

The Clause No 48 of Act No 3194 disregarding the minimum plot size in the Backscene and Buffer Zones, it was allowed to build four-storey buildings on 15% of the plots in the Backscene Zone and five-storey buildings on 15% of the plots in the Buffer Zone (27).

With Provisional Clause No 7 of Act No 3194 it was stipulated that illegally constructed buildings and squatter settlements would be pardoned and accepted as legal and existing garret attics would be converted into full flats within the same height (28). On October 19, 1985 Regulations for the Implementation of the Clauses Nos 46,47,48 and also the Provisional Clause No 7 of the Construction Act No 3194, all relating to the Bosphorus Area, were issued (29). Principles of Implementing the Building Pardon to the Bosphorus Area were clarified on June 7, 1986 with Act No 2981 (30). With the Implementation Regulations of July 23, 1986 prepared in line with Act No 3290, the details of the Implementation of the Building Pardon to the Bosphorus were determined (31). However, with the decision of the Constitutional Court dated December 12, 1986, the pardon stipulated by Clause No 47 and Provisional Clause No 7, which had formerly comprised the Bosphorus (32), was cancelled and the cancellation decision was published in the Official Gazette of April 18, 1987 (33).

The Master Plan for the Backscene and Buffer Zones:

The Backscene and the Buffer Zone Master and Development Plans, which had been stipulated by the Cabinet Decree of January 1983, were assigned

to two private firms. The master plan of 1/5000 was prepared by these firms, the "Temel Mühendislik" and the "British Halcrow Fox and Associates", upon the order of the Greater City Municipality which was approved in 1988 (34). The plan comprising a section of the Backscene Zone of approximately 1000 hectares and a rural and an urban Buffer Zones of 5340 hectares, were sent to the township municipalities of Beşiktaş, Sarıyer, Uskudar and Beykoz only for information and inspection as predicted by the Bosphorus Act (35). Unfortunately, it was observed that a large number of "green areas" had been turned into "settlement areas" by the Construction Committee of Greater City Municipal Board as required by the township municipalities under the political pressure.

The Report of the State Inspection Committee:

The Bosphorus Area underwent an intensive construction activity, in the late 1980s which threatened its natural and historic values with irreparable damage. This destructive activity became so visible that it led to a 'hot issue' on the part of the public and in the press. Thus, Mr. Kenan Evren, the President of the time, used his initiative to put an end to these unwanted development (36).

The Bosphorus Report of April 12, 1989, which had been prepared by the State Inspection Committee upon the instruction of the President Mr. Kenan Evren, determined the construction activities by inspection carried out both in the Bosphorus Development Office and in situ. This report established the all legal and/or illegal construction activities.

The Cancellation of the Master Plan for the Backscene and Buffer Zones: The Istanbul Branch of the Chamber of Architects applied to the First Administrative Court for the cancellation of the Master Plan with the scale of 1/5000 and its supplements, which had been prepared for the Backscene and Buffer Zones of the Bosphorus (37). The First Administrative Court took a decision in April 1990 to stop the execution of this application for ninety days on the grounds that the Committee for the Conservation of Cultural and Natural Entities had not been consulted while preparing the plans for the Bosphorus, which has the statute of being a conservation site (38). On June 28, 1990, the First Administrative Court I took a decision that the Chamber of Architects, Istanbul Branch had no authority to object to the implementation of the 1/5000-Scale Master Plan in the Backscene and the Buffer Zones of the Bosphorus (39). These plans have still been in inspection.



Planning and Development Activities Carried out in the Bosphorus Area:

Date	Planning and Conservation Decision/Regulation/Act/Plan		
October 10,1970	SCIAM/5595 The historic civil architecture, i.e. kiosks, yalis etc. in the Coastal Zone of the Bosphorus were listed and designated.	July 22,1983	The 1/5000-scaled Master Plan and the 1/1000-scaled Development Plans for the Coastal and Forescene Zones were approved.
July 14,1971	The 1/5000-scaled Bosphorus Coastal Zone Conservation Plan came into force.	November 22,1983	2960 -The Bosphorus Act for the conservation of cultural, natural and historic values in the Bosphorus area came into force. The construction of new houses was completely banned on the Coastal and the Forescene Zones. And a new organizational scheme was set up.
May 13,1972	SCIAM/6642 Revision of the SCIAM/5595.		
May 6,1973	2863/ Act for Antiquities came into force. Development activities carried out in the Bosphorus were directed by the Supreme Council of Immovable antiquities (SCIAM)	February 24,1984	2981 -Clause No 3 of the Building Pardon Act stipulated that the Building Pardon should not apply to the Bosphorus area.
December 14,1974	SCIAM/8172 The 1/5000-scale Listing, Designation, and Conservation Decisions of the Natural and Historic Sites of the Bosphorus were issued. The decision to prepare a new Development Plan for the Bosphorus	May 9,1985	3194 -Act No 2960 was altered by Clauses Nos 46, 47, 48 and by the Provisional Clause 7 of the Construction Act. The construction of new houses as permitted in the Coastal and Forefront Zones; the new Bosphorus organizational scheme was abolished; illegally constructed buildings and squatter settlements were pardoned and accepted as legal.
April 12,1975	SCIAM/8036 The 1/5000-scaled Listing, Designation, and Conservation Decision for the Natural and Historic Sites of the Bosphorus were issued.		
June 27,1975	SCIAM/8502 The 1/5000-scaled Conservation Plan and the related report were approved.	October 19,1985	3194 The Regulations for the Application of Clauses Nos 46, 47, 48 and Provisional Clause 7 was issued.
September 13,1975	SCIAM/8612 The 1/5000-scaled Conservation Plan and the related report were revised.	July 7,1986	3290 The principles for the Application of the Building Pardon Act No 2981 in the Bosphorus area were set. Illegal buildings constructed up to October 10, 1985 were covered by the pardon.
March 12,1977	SCIAM/9680 The 1/5000-scaled Master Plan for the Natural and Historic Sites of the Bosphorus was prepared and the report of Implementation Regulations was issued.	July 23,1986	The Regulations for the Implementation of Act No 3290 were issued.
June 3,1977	The 1/5000-scaled Master Plan for the Bosphorus Conservation site was approved.	December 11,1986	The Constitutional Court cancelled the implementation of the Building Pardon Act in the Bosphorus area.
January 14,1978,	SCIAM/10201 Conservation decisions for the woods and greens in the Bosphorus area.	April 18,1987	The cancellation decision of the Constitutional Court was published in the Official Gazette.
April 15,1978	SCIAM/10341 -The terms of construction within the villages in the Bosphorus area.	June, 1988	The Chamber of Architects Istanbul Branch appealed to the First Administrative Court for the cancellation of the 1/5000-scaled Master Plan.
1978	Revision of the 1/5000-scaled Master Plan.	April 2,1989	The legal and/or illegal Constructions in the Bosphorus area were documented by the State Inspection Committee Report.
1979	Revision of the 1/5000-scaled Master Plan.		
1982	Revision of the 1/5000-scaled Master Plan.	October 4,1989	The Constitutional Court took a decision to the effect that pardoning the illegal construction on the Bosphorus Coastal and Backscene Zones was against the Constitution.
January 1983	Revision of the planning decisions relating to the Bosphorus upon the decree of the Cabinet.	April, 1990	The First Administrative Court in Istanbul took a decision to put an end to the application of the 1/5000-scaled Master Plan in the Backscene and the Buffer Zones of the Bosphorus.
June 21,1983	2863 Act for the Conservation of the Natural and Historic Entities. SCIAM abolished. New conservation organizations, the Supreme Council for Conservation of Cultural and Natural Entities (SCNE) and regional sub-committees Regional Councils for Conservation of Cultural and Natural Entities (RCNE) were set up.	June 28,1990	The First Administrative Court in Istanbul took a decision that the Chamber of Architects. Istanbul Branch could not be accepted as a party with the right to object to the application of the 1/5000- scale Master Plan in the Backscene and the Buffer Zones of the Bosphorus.
June 24,1983	SCIAM/15775 Revision of the Listing, Designation and Conservation Decisions for the Bosphorus Conservation Site.		

## THE EFFECTS OF THE CONTRADICTIONARY PLANNING DECISIONS AND LEGAL ARRANGEMENTS ON THE BOSPHORUS AREA

As has been explained above, this paper aims to find out the effects on the Bosphorus Conservation Area of the contradictory planning decisions and legal arrangements, whose aims were actually conservation and planned development. In this section will be discussed the facts related with the practices of the last five years during which the adverse effects of the decisions became increasingly visible in the Bosphorus skyline.

The Bosphorus Act of 1983, which had been brought into force to protect the Bosphorus area, banned construction in the Forescene Zone of the Bosphorus. With a change made in the Construction Act on May 9, 1985 the ban was removed. In the period that elapsed between these practices and the publication of the decision of the Constitutional Court cancelling the related clauses of the Construction Act of 1985 concerning construction in the Bosphorus Area, the considerable construction activity was undertaken.

In a total number of 92 plots, that is in an area of 121 158 sqm, making up 6% of the area of 12 199,463 sqm. was built upon (40). In a matter of two years (1985-1987), a total number of 1335 luxury dwellings were either built or started construction in the Forescene Zone (41). 13 out of the 93 plots for which construction permit was secured had actually been the last listed wooded areas on the Bosphorus. And 10% of the trees in these woods were cut down by "permission" which resulted in the following construction activities in areas including some parts of in the first and second group listed woods (42):

Township:	Area:	Plots:	Buildings:
Besiktas	52 650 sqm	15	125
Sariyer	295 650 sqm	56	938
Üsküdar	83 025 sqm	13	165
Beykoz	58 725 sqm	9	107
TOTAL	490 050 sqm	93	1335

Total 490 050 sqm land, on 93 plots, 1335 buildings were covered with concrete buildings.

Actually, Clause No 5 of the current Bosphorus Act stipulated the protection of these wooded areas, which had been listed according to Decision No.9680 dated March 12, 1977 taken by the Supreme Committee of the Immovable Cultural and Natural Entities (43). This clause, which

is still in effect, states that "it is forbidden to destroy or damage the trees in these sections". In spite of this, the Istanbul Regional Conservation Committee of Cultural and Natural Entities took a decision to approve cutting 10% of the trees included in these zones. Permission was given to cut down trees in 13 listed woods. This meant that luxury dwellings took over 125.7 sqm of the wooded area of 85 616 sqm in 4 listed woods in Besiktas; 9950.7 sqm of the wooded area of 161 499.4 sqm in 7 listed woods in Sariyer; 3692.69 sqm of the wooded area of 61 930 sqm in 2 listed woods in Besiktas. Therefore, 18 769 sqm of concrete construction occupied the empty plots left by the removed trees in a total area of 309 454 sqm (44).

With Clause No 47 added to the Construction Act 3194, housing construction had been permitted for 6% of the plots larger than 5 000 sqm in the Forescene Zone. This clause also led some big firms to bring various small plots together in the Forescene Zone, whose values had been considerably depreciated because of the ban on construction, in order to secure a construction permit.

Although the extra Clauses Nos 46, 47 and 48 added to Act No 3194 permitted "construction in areas like forests, woods, and greens" recreational areas were not included in the built-in areas. It was observed that in a matter of about two years construction activities took place on 17 221 sqm out of 285 415 sqm recreational areas. In this period, out of the 93 plots for which an application was placed to the Bosphorus Construction Office to get a construction permit, 12 happened to be in the recreational areas and 2 were partly in the recreational areas and partly in the agricultural areas (45).

On the other hand, in the Bosphorus Report of April 12,1989, which had been prepared by the State Inspection Committee, examples of legal and/or illegal construction activities were determined by the inspection carried out both in the Bosphorus Development Office and in situ. This report established that illegal construction permits were issued for 1017 blocks in 71 plots within the period of 4 months that elapsed between the cancellation decision (December 11,1986) taken by the Constitutional Court relating to the construction activities in the Bosphorus Area and the publication of the same decision in the Official Gazette (April 18,1987). It was also stated that the permits were given without any inspection in situ, that the Greater Istanbul Municipality Advisory Board did not sufficiently examine the projects in question, and that not enough attention had been paid to preventing the construction of illegal buildings.

According to the report, the number of illegal buildings in the Bosphorus Area was 867, the number of buildings which were decided to be demolished was 328 and the number of buildings demolished was 74 (46).

Distribution of the buildings inspected as to the townships of the Bosphorus area:

Township:	Co-operative buildings:	Individual buildings:	Total
Besiktas	9	114	123
Sariyer	351	654	1005
Uskudar	30	138	168
Beykoz	-	95	95
			1391

Further details of these construction activities are given below (47):

The number of construction permits issued between the dates of May 9, 1985 (when the Construction Act Additional Clause 7 came into force) and December 11, 1986 (when the cancellation decision was taken) is 390 for 21 plots;

The number of conservation permits issued between December 11, 1986 and April 18, 1986 (when the cancellation decision was published) is 1017 for 71 plots;

On 25 plots the number of buildings with illegally built extra storey/s is 597;

On 54 plots the number of buildings with illegally enlarged built-on space is 843,

The number of plots on which illegal pools were built is 22;

The number of construction practices violating the regulations for the conservation antiquities is 2;

The number of plots on which the natural environment was damaged is 27; the number of plots where trees cut down without permission is 6;

In view of the above, the First Department of the Supreme Court took the following decisions to clarify the practices to be followed (48):

Although no permits should have been given between December 11, 1986 and April, 1987, it has been decided that the rights of the buildings acquiring permission and completing their construction between these dates and the buildings in construction will be reserved; the rights of those buildings whose construction started later than the date of April 18, 1987, although acquired permits between the above dates, would be cancelled.

Within the framework of this decision, each building will be assessed on its own and those which should be kept as they are and those which should be kept with some improvements will be identified, and legal action will be taken for the remaining buildings.

## **CONCLUSION**

For Istanbul, the Bosphorus has the significance of being a symbol above and beyond the symbol of any other city in the world. In addition to its unique natural beauty, the Bosphorus enjoys the rich accumulation of the historic and cultural values inherited from the Byzantine and the Ottoman times together with the contributions of the people presently living there. At present, cities find themselves going through tremendously complex technological, economic, social and cultural transformations. Unfortunately, Istanbul has been caught in this inevitable transformation quite unprepared, and in the last forty years it has experienced rather dramatically the 'grooving pains' which the other similar metropolitan cities of the world have gradually undergone in a much longer period.

The Bosphorus area has also been affected by the phenomenon of rapid urbanization and population explosion taking place in Istanbul; and owing to the newly added transportation facilities like the two bridges and related motorways, unsuitable building developments began to take over the land whose economic value has gone up considerably.

However, some of the current problems encountered in the Bosphorus area stem from the complex and unstable policies caused by the rather frequent changes made in the planning decisions. The fact that under economic and political pressures the planning and conservation policies fail to adopt a comprehensive planning approach. All these problems should only be solved by adopting multi-dimensional and stable policies that do not contradict one another.

It is clear that, conservation decisions and planning policies should be consistent with other regional and urban planning decisions and policies. Conservation plans should be integrated with the existing or newly produced development plans for the other sectors of the city. Artificial and complex divisions like the Forescene Zone, the Backscene Zone etc. lead to misinterpretations and malpractices especially on the dividing lines. Rather than this, an approach unique to the Bosphorus should be adopted so as to emphasize its natural and historic values. It should be accepted that bans and prohibitions do not work and that some construction should be allowed however limited.

The planning activities should be carried out with meticulous care; then a working system of implementation and inspection, which would not be affected by political pressures and changes, should be established.

Regarding the significance of natural, historic and urban sites and their potential in the development of the Bosphorus, the related parties, the central government, the local administrations, the scientific institutions, the planners and the people living there, should adopt common and consistent policies.

#### REFERENCES:

- (1) -----"Boğaziçi", İslam Ansiklopedisi (Encyclopedia of İslam), volume 2.
- (2) -----"Boğaziçi", İstanbul Ansiklopedisi (Encyclopedia of İstanbul), volume 6.
- (3) Eyice,S. Bizans Döneminde Boğaziçi (The Bosphorus During the Byzantine Period), İstanbul Boğaziçi ve Çevresi Sorunlari Sempozyumu. İstanbul Çevre Koruma ve Yeşillendirme Derneği,
- (4) For further information see:
  - Agat,N. Boğaziçi'nin Turistik Etudu (A Touristic Study of the Bosphorus). İstanbul: İTU Faculty of Architecture, 1963.
  - Cubuk,M. Boğaziçi Mekaninin Düzenlenmesinde Bazı ilkeler (Some Principles on the Planning of the Bosphorus). İstanbul: İTU Faculty of Architecture, 1971.
  - Kuban,D. Osmanlı Döneminde Boğaziçi Yerleşmesi (The Bosphorus Settlements During the Ottoman Period), İstanbul Boğaziçi ve Çevresi Sorunlari Sempozyumu, İstanbul Çevre Koruma ve Yeşillendirme Derneği,1973.
  - Panel About the Effects of the Bosphorus Crossing to the Urban Development of İstanbul. Mimarlık. Vol 4 (1976), pp46-47.
  - Zeren,N. Boğaziçi'nde Düzenleme Yaklaşımı (A Planning Approach to the Bosphorus), (unpublished Ms. Thesis). İstanbul: İTU, Faculty of Architecture, 1976.
- (5) Duranay,N Cumhuriyetten bu yana İstanbul Planlaması (the Planning of İstanbul, since the Foundation of Republic). Mimarlık, Gürsel,E Vol 7. (1972) pp 65-109.
- (6) Tümertekin,E. "Boğaziçi'nde Coğrafi Görünümü Değiştiren Bir Faktör olarak Sanayi" (Industry, as a Factor for Changing the Geographical Structure of the Bosphorus), İstanbul Boğaziçi ve Çevresi Sorunlari Sempozyumu. İstanbul: Çevre Koruma ve Yeşillendirme Derneği, 1973.
- (7) DIE İstatistik Yıllığı, 1987 (Statistic Yearbook, 1987). Ankara: DIE, 1988.

- (8) ----- Buyuk Istanbul Nazim Plan Calismalari 1971-1972 (Studies of the Greater Istanbul Master Plan Office 1971-1972), Mimarlik Vol. 7 (1972).pp110-118.
- (9) SCIAM/5595 Istanbul Boğaziçi Sahil Şeridi Yalilari Tescili (Designation of Historic yalis in the Coastal Zone of the Bosphorus), October 10, 1970.
- (10) SCIAM/6442 Istanbul Boğaziçi Sivil Mimarlik Örnekleri Tescili (Designation of Historic Civil Architecture in the Bosphorus Area), May 13, 1972.
- (11) ----- Bosphorus Coastal Zone Conservation Plan, 1971, Archives of the Bosphorus Development Office.
- (12) ----- The report of the Bosphorus Development Plan. Mimarlik Vol 6 (1972), PP29-30.
- (13) ----- Eski Eserler Kanunu (Act for Antiquities), Official Gazette, No 14527/6.5.1973.
- (14) ----- SCIAM/8172 The 1/5000-scaled Listing, Designation and Conservation Decisions of the Natural and Historic Sites of the Bosphorus. December 14, 1974.
- (15) ----- SCIAM/8036 The 1/5000 scaled Listing, Designation and Conservation Decision of the Natural and Historic Sites of the Bosphorus. April 12, 1975.
- (16) ----- 1978, 1979, 1980 Revisions of the 1/5000-scaled Master Plan, Archives of the Bosphorus Development Office.
- (17) ----- Archives of the Grater Istanbul City Municipality.
- (18) ----- Revision of the Listing, Designation and Conservation Decisions for the Bosphorus Conservation Site. January, 1983. Archives of the Bosphorus Development Office.
- (19) ----- The 1/5000-scaled Master Plan and the 1/1000-scaled Development Plans for the Bosphorus Conservation Site, July 22, 1983.
- (20) ----- The Report of the 1/5000-scaled Master Plan for the Coastal and Forescene Zones of the Bosphorus, (unpublished). Greater Istanbul Municipality. July 22, 1983.
- (21) ----- Emir, T.Bogazicinde Planlama ve imar Calismalari ve Yasal Düzenlemeler (Studies on the Development Planning and Some Legal Activities in the Bosphorus Area). Seminar report (unpublished) on the Actual Planning Problems, ITU Faculty of Architecture, March 17,1988.
- (22) ----- 2960 Sayılı Boğaziçi Yasasi (The Bosphorus Act, No 2960), Official Gazette, November 22, 1983.
- (23) ----- Archives of the Greater Istanbul Municipality.
- (24) ----- 3194 Sayili Imar Kanunu (Construction Act, No 3194) Official Gazette, May 9, 1985.
- (25) ----- 3194 Sayili Imar Kanunu, 46. Madde (Construction Act, No 3194, Clause 46), Official Gazette, May 9, 1985.

- (26) ----- 3194 Sayili Imar Kanunu, 47. Madde (Construction Act, No 3194, Clause 47), Official Gazette, May 9, 1985.
- (27) ----- 3194 Sayili Imar Kanunu, 48. Madde (Construction Act, No 3194, Clause 48), Official Gazette, May 9, 1985.
- (28) ----- 3194 Sayili Imar Kanunu, Gecici 7.Madde (Construction Act, No 3194, Provisional Clause No 7), Official Gazette, May 9, 1985.
- (29) ----- 3194 Sayili Imar Kanunu 46. 47. 48.Maddeleri ve Gecici 7.Maddesine ilişkin Uygulama Yönetmeliği (Regulations for the Implementation of the Clauses Nos 46,47,48 and Provisional Clause 7). Official Gazette, October 19, 1985.
- (30) ----- 2981 Sayili Imar Affina ilişkin Kanununun Bogazicinde Uygulama Kosullari, (Principles of Implementation Regulations of the Building Pardon Act No 2981 to the Bosphorus Area), Official Gazette, June 7,1986.
- (31) ----- 3290 Sayili Imar Affina ilişkin Kanunun Uygulama Yönetmeliği (Implementation Regulations of the Building Pardon Act No 3290), Official Gazette, July 23,1986.
- (32) ----- Cancellation Decision of the Constitutional Court about the Building Pardon Act in the Bosphorus Area, December 11, 1986.