

From: [REDACTED]
To: [A303 Stonehenge](#)
Subject: A303 Amesbury to Berwick Down (TR010025)
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Attachments: [REDACTED]

Please find attached Written Notes on Interventions from ICOMOS-UK.

An attachment letter from Historic England on the 'Tulip' planning application will be submitted separately.

I would appreciate confirmation of receipt.

Regards

Susan Denyer
Secretary ICOMOS-UK
International Council on Monument and Sites, UK
70 Cowcross Street
London EC1M 6EJ
0207 566 0031
www.icomos-uk.org
@icomosuk

Registered charity: 1175871

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Written summary of oral submission

The Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8, Rule 13 and Rule 16 Application by Highways England for an Order Granting Development Consent for the A303 Amesbury to Berwick Down

PLANNING INSPECTORATE REFERENCE: TR010025

Clarification of the ICOMOS Guidance on Heritage Impact Assessment for Cultural World Heritage properties in relation to harm and benefits

1. The Guidance sets out a methodology for assessing impact of development on the attributes of Outstanding Universal Value (OUV) both individually and collectively. The main components are as follows:
 - Understanding OUV and the attributes that convey OUV
 - Identifying the attributes of OUV that are impacted
 - Defining how these particular attributes contribute to OUV
 - Degree of direct and indirect impact on individual attributes
 - Overall the cumulative impact on all attributes and thus on OUV
2. The primary aim of a Heritage Impact Assessment (HIA) for a proposed development is to address where there could be harm to attributes of OUV, and thus to OUV, and how that harm could be avoided. Every reasonable effort should be made to avoid, eliminate or minimise adverse impacts on attributes that convey OUV’ (paragraph 2-1-5). That must be the starting point.
3. The Guidance highlights the need to assess benefits that may derive from development. The Guidance goes on to state that it is important to consider who receives benefits and to acknowledge the benefit of those projects that support conservation. It adds that ‘The conservation of the property should be counted within the benefits of a project, so that projects that are supportive of conservation can be weighted more than those that do not.’ (Paragraph 5.13).

4. Stress is placed on benefits that relate to conservation and to local communities as ‘Often the property itself and the associated communities do not receive the benefits flowing from development’ (paragraph 5-13).
5. There is no suggestion in the Guidance that benefits to for instance developers or motorists would be seen as having high value, nor, more importantly, that high levels of benefits could outweigh damage to attributes of OUV.
6. Paragraph 2-1.1 states that: ‘Ultimately, however, it may be necessary to balance the public benefit of the proposed change against the harm to the place. In the case of WH properties this balance is crucial’.
7. This balance is certainly crucial in relation to WHS where there is an obligation to sustain OUV and avoid harm to attributes of OUV. Balancing public benefit against harm must be undertaken in the context of the underlying obligation to sustain OUV and thus avoid harm to its attributes.
8. The Guidance text considers impact on other assets besides attributes of OUV. Whereas it may be acceptable to show that benefits can outweigh less than substantial harm for individual assets not related to attributes of OUV, (under the NPPF¹) it is not acceptable when dealing with attributes of OUV. OUV is fixed at the time of inscription and is non-negotiable.
9. This is a logical position as, if attributes of OUV could be harmed or destroyed to deliver public benefits, many World Heritage properties might by now have succumbed to major infrastructural projects of one sort or another if taking slices out of a property could be offset by benefits elsewhere.
10. This overall position has been accepted by Historic England in its response to the application for the ‘Tulip’ Tower on land adjacent to 20 Bury Street, London EC3A 5AX. Their letter of 6 December 2019, ref P00996770, is attached.
11. In this letter they set out that NPPF guidance requires decision makers to determine whether harm is substantial, or less than substantial. If the harm is deemed to be less than substantial, paragraph 196 of the NPPF requires that harm be weighted against the public benefits of the proposals’. It also lists other London specific guidance for WHSs. It then goes on to say that ‘notwithstanding the policy and guidance framework described, it should be noted that the World Heritage Committee and its cultural adviser ICOMOS (the International body based in Paris) interpret the World Heritage Convention in a way that places great weight on the need to avoid any harm to OUV. Only if it is clear that proposed development is essential and cannot occur without harm to OUV does

¹ National Planning Policy Framework

ICOMOS concede in its Guidance on Heritage Impact Assessment that balancing harm against benefit is acceptable’.

12. This is a clear statement of Historic England’s views, and a clear statement of the meaning of the ICOMOS Guidance on HIAs.

21st June 2019