

From: [REDACTED]
To: [A303 Stonehenge](mailto:A303Stonehenge@planninginspectorate.gov.uk)
Subject: RE: A303 Amesbury to Berwick Down (TR010025)
Date: 26 June 2019 00:07:32
Attachments: [REDACTED]

Further to your message below of 24th June, please find attached a scan of a letter from Historic England, ref P00996770 and dated 6 December 2018, which we wish to submit as evidence.

I would appreciate confirmation that this has been received.

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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From: A303 Stonehenge [mailto:A303Stonehenge@planninginspectorate.gov.uk]
Sent: Monday, June 24, 2019 1:03 PM
To: Susan Denyer [REDACTED] >
Subject: RE: A303 Amesbury to Berwick Down (TR010025)
Importance: High

Dear Ms Denyer

Thank you for your email.

Unfortunately, the link provided below does not provide the letter you wish to submit as evidence. The following message is displayed:

*"Document Unavailable
This document is unavailable for viewing at this time."*

Please look into an alternative method of submitting this evidence if you wish for it to be considered by the Examining Authority.

Kind regards

A303 Amesbury to Berwick Down Case Team

National Infrastructure Planning
The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol BS1
6PN

Helpline: 0303 444 5000

Email: A303stonehenge@planninginspectorate.gov.uk

Web: <https://infrastructure.planninginspectorate.gov.uk/> (National Infrastructure Planning)

Web: www.gov.uk/government/organisations/planning-inspectorate (The Planning Inspectorate)

Twitter: [@PINSgov](https://twitter.com/PINSgov)

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From: Susan Denyer <[REDACTED]>
Sent: 21 June 2019 23:16
To: A303 Stonehenge <A303Stonehenge@planninginspectorate.gov.uk>
Subject: RE: A303 Amesbury to Berwick Down (TR010025)

Please find a link to a letter from Historic England on the 'Tulip' planning application as an attachment to my previous email:

https://www.planning2.cityoflondon.gov.uk/online-applications/files/4DABD8DD3601633896E8796CEC5CD276/pdf/18_01213_FULEIA-COMMENTS_-_HISTORIC_ENGLAND-423887.pdf

I would appreciate confirmation of receipt.

Regards

Susan Denyer
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From: Susan Denyer
Sent: Friday, June 21, 2019 11:03 PM
To: 'A303 Stonehenge' <A303Stonehenge@planninginspectorate.gov.uk>
Subject: A303 Amesbury to Berwick Down (TR010025)

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

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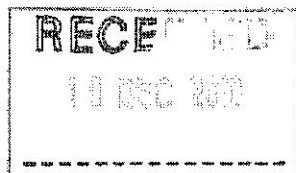
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Ms Bhakti Depala
City of London
PO Box 270
Guildhall
London
EC2P 2EJ



Direct Dial: 020 7973 3774

Our ref: P00996770

6 December 2018

Dear Ms Depala

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**LAND ADJACENT TO 20 BURY STREET LONDON EC3A 5AX
Application No. 18/01213/FULEIA**

Thank you for your letter of 19 November 2018 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Summary

We have been involved in providing advice on these proposals for several months, and a pre-application design similar to the submitted proposals was considered at this stage by our London Advisory Committee. The advice set out in this letter reflects our earlier pre-application advice to the application, which was informed by the advice of the London Advisory Committee. A summary of that position is set out below.

The proposed building, by virtue of its location, will form the eastern edge of the City's Eastern Cluster of tall buildings. This, combined with its height and form, means that the Eastern Cluster forms a sharp backdrop to the Tower of London when seen in the LVMF view from the north bastion of Tower Bridge. In our view, this sharp contrast, combined with the unusual eye-catching form of the proposed building, reduces the visual dominance of the Tower of London and harms an attribute of its Outstanding Universal Value, namely the Tower's role as a symbol of royal power set apart from the City of London and dominating its strategic riverside setting. We have not seen clear and convincing evidence that this harm would be outweighed by public benefits, and we therefore cannot support the proposals.

Historic England Advice

Significance

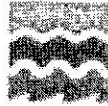
The designated heritage asset most affected by the proposals is the Tower of London, which is located around 630 metres south-east of the development site. The Tower is



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one of London's four World Heritage Sites and its significance, history and development are well known and form the basis of its Outstanding Universal Value (OUV). In summary, the OUV is based on a number of attributes, including (but not limited to) its strategic site and function as a fortress and gateway to London, illustrating both the protection and control of the city; the rare survival of a continuously developing ensemble of royal buildings from the 11th to 16th centuries and their symbolism of royal power; the outstanding example of late 11th century Norman military architecture. The Tower is also a Scheduled Monument containing a number of highly graded listed buildings and is within a conservation area.

The LVMF views from the North Bastion of Tower Bridge (10A.1) and Queen's Walk (25A.1) illustrate the Tower's setting and many of its attributes of OUV, including its role as a symbol of royal power set apart from the City of London. View 10A.1, more than any other, clearly shows the Tower's relationship with the developing Eastern Cluster. In this view, the Tower's strategic position along the river is clearly illustrated. As it has done for centuries, the Tower dominates its immediate riverside setting, but the towering modern (existing and consented) buildings of the Eastern Cluster rise sharply to the west. The visual contrast between the modern City of London and the historic Tower has been established for decades, but has intensified in recent years as the Eastern Cluster becomes taller and denser. The contrast is particularly notable in this view, which shows the City and Tower in close juxtaposition. View 25A.1 is from Queen's Walk on the South Bank further to the west. It shows the Eastern Cluster from the river, with the Tower noticeably further to the east. The Tower's OUV attribute of being set apart from the City of London is clearly illustrated in this view.

Proposals

The project is being financed by the current owner of 30 St. Mary Axe. The intention is to create a viable new visitor attraction in the City of London principally for the enjoyment of high level views over London. The proposals have been designed by Foster + Partners as a glazed 'tulip-shaped' pod atop a narrow concrete lift shaft. The height of the top of the pod will, at 305.3m AOD, match the height of the consented building at 1 Undershaft, which will be the tallest building in the City of London (only slightly lower than the Shard across the river in Southwark). The pod contains 12 floors of varying size and form. Level 3 will be used for educational use, and the top floors for bar and restaurants. The middle floors will be dedicated for the visitor experience of viewing and learning about London, its history and development. These floors will be set back from the glazed elevation, with a 'floating' skybridge walkway along the inside perimeter at level 4. The middle floors will be accessed by paid-for ticket holders and used for private events.

Policy

Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 impose a statutory duty on planning authorities to consider the impact of proposals upon listed buildings and their settings.



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Government guidance on how to carry out this duty is found in the National Planning Policy Framework (NPPF). At the heart of the framework is a presumption in favour of 'sustainable development' where protecting and enhancing the built and historic environment forms part of one of the three overarching interdependent objectives (economic, social and environmental).

Section 16 of the NPPF sets out how the historic environment should be conserved and enhanced, and makes it clear at paragraph 193 that when considering the impact of a proposed development on a heritage asset (which includes its setting), local planning authorities should give 'great weight' to preserving the asset's significance. Any harm or loss should require clear and convincing justification and substantial harm or total loss should be exceptional. In the case of Grade II* or Grade I listed or registered assets or World Heritage Sites, substantial harm or loss should be wholly exceptional (paragraph 194).

Where harm is caused to a heritage asset, the NPPF requires decision makers to determine whether the 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 to be weighed against the public benefits of the proposals.

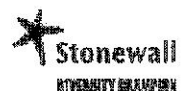
If the harm is substantial, or results in a total loss of significance, paragraph 195 states that local authorities should refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or all four of the following criteria apply: a: The nature of the heritage asset prevents all reasonable uses of the site; and b: No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c: Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and d: The harm or loss is outweighed by the benefit of bringing the site back into use.

Policies in the London Plan for the protection of London's heritage are set out in 7.8-7.12. Between December 2017 and March 2018, the Mayor of London consulted on a new draft London Plan. This included policies on design, heritage and tall buildings. The following draft policies are relevant: Policy D8 (B) requires that tall buildings should be part of a plan-led approach; Parts C1 (a) (i) of the same policy relate to visual impacts on important local or strategic views; C1 (d) requires proposals to 'take account of, and avoid harm to, the significance of London's heritage assets and their settings'; C1 (e) provides policy protection for the Outstanding Universal Value of World Heritage Sites and C1 (f) gives protection to views from the River Thames. In March 2012 the GLA adopted 'London's World Heritage Sites-Guidance on Settings' as Supplementary Planning Guidance. The document includes a framework for assessing the potential impact of development on the setting and OUV of World Heritage Sites and assets within those sites.



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Notwithstanding the policy and guidance framework described above, it should be noted that the World Heritage Committee and its cultural heritage advisor 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 ICOMOS concede in its 2011 Guidance on Heritage Impact Assessment that balancing harm against benefit is acceptable.

Position

The gradual intensification and densification of the Eastern Cluster of tall buildings has changed the visual relationship between the City and the Tower of London WHS in some views. The proposals will further change this relationship, creating a vertical 'cliff edge' to the Eastern Cluster when viewed from the north bastion of Tower Bridge (LVMF 10A.1), while the unusual form of the building, intended to be eye-catching, draws attention away from the Tower. In our view, the proposed new building would change the relationship between City and Tower to such an extent that the Eastern Cluster begins to visually challenge the dominance and strategic position of the Tower (both attributes of OUV), thereby causing harm to its significance.

This harm is primarily experienced in one view, but it is the view that best illustrates the relationship between the Tower and the City of London and thereby the attribute of OUV that relates to the strategic and dominant position along the river, set apart from the mercantile City. The proposed building would diminish the sense of dominance of the Tower, resulting in harm to the significance of the World Heritage Site.

A further impact on the significance of the Tower occurs in the view from the Inner Ward towards the Chapel Royal of St. Peter ad Vincula. Here, the top of the 'Tulip' would be visible above the roofline of the Chapel, adding to the modern visual intrusions of the tall buildings at 22 Bishopsgate (under construction) and 1 Undershaft (consented) above the chapel roofline when these buildings are completed. The appearance of modern tall buildings above this roofline causes harm, as it diminishes the self-contained ensemble of historic buildings currently largely unimpeded by signs of the modern city beyond. This is not a pristine view, but each time a new building appears in the view, it contributes to a diminution of the impact of the sense of history in this special place. Our view is that the harm here is less than substantial.

We also note that there are already viewing platforms in the City of London, including of course Wren's historic Monument, with which the proposed new development would compete.

NPPF policy states that any harm to the significance of a designated heritage asset should require clear and convincing justification (paragraph 194). In cases where proposals lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal (paragraph 196).

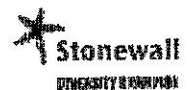
Recommendation

Historic England objects to the application on heritage grounds.



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It is for your authority to weigh the harm identified above against any public benefits of the scheme when they consider formal applications. We also urge you to consider the documents submitted with the application to ensure that the Historic Impact Assessment is in accordance with ICOMOS guidance.

Based on the documents submitted with the application, Historic England is not convinced that the harm to the significance of the Tower of London, a World Heritage Site of international importance, could be outweighed by public benefits. We have informed the DCMS of our position, and understand that they intend to send a paragraph 172 notification to the World Heritage Centre.

This response relates to designated heritage assets only. If the proposals meet the Greater London Archaeological Advisory Service's published consultation criteria we recommend that you seek their view as specialist archaeological adviser to the local planning authority.

The full GLAAS consultation criteria are on our webpage at the following link:


<https://www.historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/our-advice/>

Yours sincerely



Michael Dunn

Principal Inspector of Historic Buildings and Areas

E-mail: 



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