

A66 Northern Trans-Pennine Project

TR010062

Technical Note: Lake District World Heritage Site

ANNEX 1

02 May 2023

A66 Northern Trans-Pennine Project Development Consent Order 202x

Lake District World Heritage Site

Deadline:	N/A
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Author:	A66 Northern Trans-Pennine Project, Project Team, National Highways

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1. Introduction

- 1.1.1. This note has been prepared in response to the Deadline 4 Submission (REP4-031) from Historic England (HE). The purpose of the note is to provide confirmatory explanation in respect of the interaction between the Project and the Outstanding Universal Value (OUV) of the Lake District World Heritage Site.
- 1.1.2. This note therefore supports the Applicant's existing submissions (see, for instance, the Applicant responses to Relevant Representations Part 2 of 4 (Document Reference 6.5, PDL-011), the Applicant's response to Historic England's written representation (REP 1-026) (REP2-016 page 36) and the Statement of Common Ground between the Applicant and Historic England (REP5-008)) that neither direct physical nor setting effects to heritage resources within or the OUV of the World Heritage Site are expected, including from traffic. It utilises relevant UNESCO and HE guidance and demonstrates that the Project would not have a negative impact on the OUV of the World Heritage Site.

2. UNESCO's recently published Toolkit

- 2.1.1. Since the World Heritage Convention was adopted in 1972, the World Heritage List has evolved and grown steadily. With this growth, a need emerged for providing guidance to States Parties on the implementation of the Convention. The development of a series of World Heritage Resource Manuals has been UNESCO's response to this need¹.
- 2.1.2. The Resource Manual *Guidance and Toolkit for Impact Assessment in a World Heritage Context* is a joint publication of UNESCO, the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM), the International Council on Monuments and Sites (ICOMOS), and the International Union for Conservation of Nature (IUCN).
- 2.1.3. The document provides an outline of the World Heritage system, high-level principles and an explanation of the process for undertaking Environmental and Social Impact Assessment (ESIAs) or Heritage Impact Assessments (HIAs). The Guidance is intended to help State Parties, heritage managers, decision-makers, project proponents, communities and others in managing World Heritage properties.
- 2.1.4. Section 4.3 of the Guidance sets out the suggested process for assessing impacts on World heritage. It states that:

“Assessment of impacts on World Heritage involves determining whether the proposed action would affect the property's Outstanding Universal Value and other heritage/conservation values. As a proposed action should not be detrimental to a property's OUV, the focus of the assessment should change from ‘What is the impact of this project/plan?’ to ‘What is its impact on OUV?’

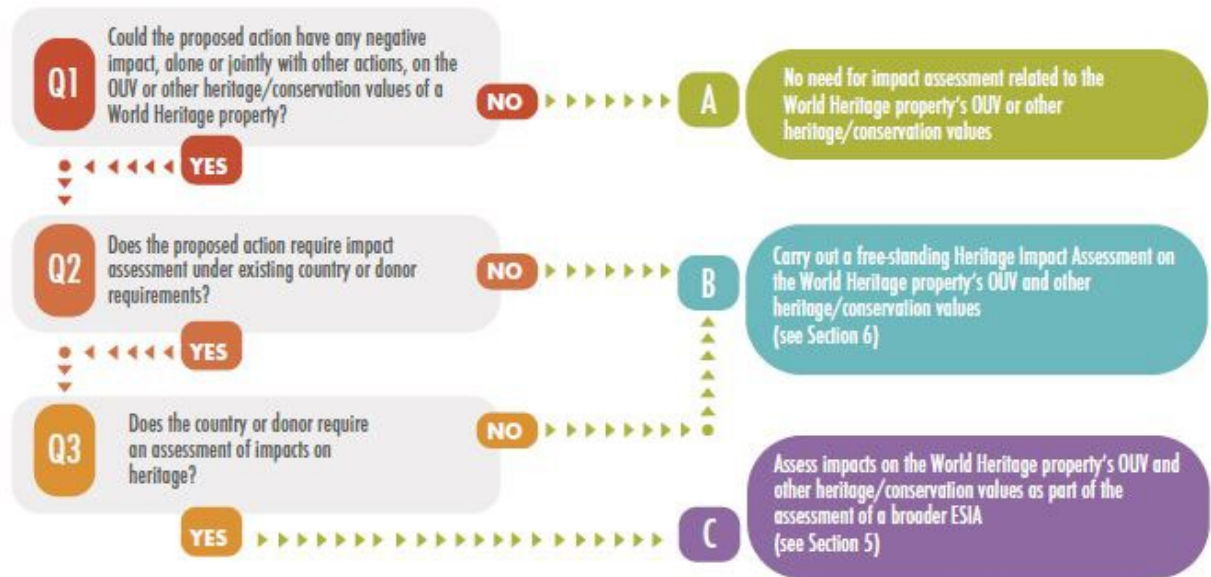
This requires an understanding of the attributes that contribute to the OUV of the World Heritage property and its other heritage/conservation values, within its boundary, buffer and wider setting, which may then

¹ UNESCO *Guidance and Toolkit for Impact Assessments in a World Heritage Context* p.1

mean that the scope of the assessment should be extended to include the relevant geographical, ecological and landscape areas around the heritage, while also considering the direct, indirect and cumulative impacts.”

2.1.5. The process of screening and the identification of the appropriate assessment process is illustrated by an indicative flowchart which shown in Figure 1.

Figure 1 – Indicative flowchart for determining the type of impact assessment needed for actions potentially affecting World Heritage properties.



3. Steps of Impact Assessment – Screening

3.1.1. Table 4.1 of the Guidance gives an overview of the impact assessment process. It sets out in bullet point format the questions which should be posed when undertaking an impact assessment. The first step is screening and the key question at this stage is ‘Is an impact assessment needed?’ (see Figure 2 for an extract from Table 4.1). The next stages of this Note provide confirmatory detail on the answer to this question in accordance with the Toolkit process illustrated by stage 1 on Figures 1 and 2 in order to confirm that no HIA is required.

Figure 2 – Screenshot of ‘Is an impact assessment needed’.

Steps of impact assessment	
1. Screening	<ul style="list-style-type: none"> ● Is an impact assessment needed? ● What are the property's OUV and other heritage/conservation values? ● What are the property's attributes? ● Is the proposed action compatible with the OUV of a World Heritage property? ● Could the proposed action have an impact on OUV regardless of its location?

4. What are the property's OUV and other heritage/conservation values?

4.1. The Outstanding Universal Value of the Lake District World Heritage Site

- 4.1.1. The nomination document composed by the Lake District National Park World Heritage Partnership explains OUV as follows:

“Outstanding Universal Value (OUV) means cultural and, or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity.”

- 4.1.2. The English Lake District is inscribed as a Cultural Landscape, a designation that incorporates the natural features of the landscape, the cultural heritage, and the practices which link the two. Its Outstanding Universal Value (OUV) comes from a landscape which reflects an outstanding fusion between a distinctive communal farming system (including common land, hefting, stone walled field and the field system) that has been present for at least a millennium and a “designed landscape” with improvements of villas, picturesque planting and gardens during the 18th and 19th centuries. This combination has attracted and inspired globally recognised writers and artists.

- 4.1.3. In section 2 of the nomination document the justification of world heritage site criteria is given under three headings as follows:

- 4.1.4. **Criterion (ii) ... an important interchange of human values over a considerable span of time within a closely defined area.** The harmonious beauty of the Lake District is rooted in the vital interaction between an agro-pastoral land use system and the spectacular natural landscape of mountains, valleys and lakes. In the 18th century the quality of the landscape was recognised and celebrated by the Picturesque Movement, based on ideas related to both Italian and Northern European styles of landscape painting. These ideas were applied to the English Lake District in the form of villas and designed features intended to further augment its beauty. The Picturesque values of landscape appreciation were subsequently transformed by Romantic engagement with the Lake District into a deeper and more balanced appreciation of the significance of landscape, local society and place. This in turn inspired the development of a number of powerful ideas and values including a new relationship between humans and landscape based on emotional engagement, and the universal value of scenic and cultural landscape which transcends traditional property rights. In the Lake District these values led directly to practical conservation initiatives to protect its scenic and cultural qualities which continue today. These values and initiatives, including the concept of protected areas, have been widely adopted and have had a global impact as an important stimulus for landscape conservation.

- 4.1.5. **Criterion (v) ... an outstanding example of a traditional human land-use which is representative of a culture and human interaction with the environment which is vulnerable under the impact of**

irreversible change. Land use in the English Lake District derives from a long history of agro-pastoralism. The landscape which has developed is now also a focus for land management for conservation purposes. This landscape is an unrivalled example of a northern European upland agro-pastoral system based on the rearing of cattle and native breeds of sheep, shaped and adapted for over 1000 years to its spectacular mountain environment. This land use continues today in the face of social, economic and environmental pressures. From the late 18th century a new land use developed in parts of the Lake District, designed to augment its beauty through the addition of villas and designed landscapes. Conservation land management in the English Lake District developed directly from the early conservation initiatives of the 18th and 19th centuries. The primary aims in the Lake District have traditionally been, and continue to be, to maintain the scenic and harmonious beauty of the cultural landscape; to support and maintain traditional agropastoral farming; and to provide access and opportunities for people to enjoy the special qualities of the area and have developed in recent times to include enhancement and resilience of the natural environment. Together these surviving attributes of land use form a distinctive cultural landscape which is outstanding in its harmonious beauty, quality, integrity and on-going utility and its demonstration of human interaction with the environment. The Lake District and its current land use and management exemplify the practical application of the powerful ideas about the value of landscape which originated here, and which directly stimulated a landscape conservation movement of global importance.

- 4.1.6. **Criterion (vi) ... being directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance.** A number of ideas of universal significance are directly and tangibly associated with the English Lake District. These are the recognition of harmonious landscape beauty through the Picturesque Movement; a new relationship between people and landscape built around an emotional response to it, derived initially from Romantic engagement; the idea that landscape has a value and that everyone has a right to appreciate and enjoy it; and the need to protect and manage landscape. Three conservation models of international significance for the establishment of the international conservation movement have developed in the Lake District: the origin of the National Trust movement; the origin of the concept of legally protected cultural landscapes including national parks; and influence on the creation of the World Heritage cultural landscape category. These interrelated ideas all emerged from a human response to the Lake District landscape. Many have left their physical mark contributing to the harmonious beauty of a natural landscape modified by a persisting agro-pastoral system (and supported in many cases by conservation initiatives): villas and Picturesque and later landscape improvements; the extent of, and quality of land management within, the National Trust property in the Lake District; the absence of railways and other modern industrial developments as a result of the success of the conservation movement. All these ideas that have derived from the

interaction between people and landscape are manifest in the English Lake District today.

4.2. Attributes of Outstanding Universal Value

4.2.1. Attributes are the qualities that express the universal value described above. Table 1 in section 2 of the nomination document summarises those attributes that demonstrably contribute to the Lake District’s Outstanding Universal Value. These are taken from Appendix 1 of the nomination document which identifies, in full, the attributes of Outstanding Universal Value across the Lake District as a whole. The Lake District WHS Management Plan seeks to protect the Outstanding Universal Value through conserving its attributes.

Figure 3 – The English Lake District attributes of outstanding universal value

THE ENGLISH LAKE DISTRICT’S ATTRIBUTES OF OUTSTANDING UNIVERSAL VALUE
Extraordinary beauty and harmony...
Fusion between a natural landscape, communal farming system...
Landscape that reflects long history of settlement, agriculture and industry, such as ring garth enclosures and intakes
An evolved pastoral system...
Hefted grazing...
Vernacular buildings of a simple functional character...
Distinctive pastoral landscape of harmonious beauty...
It has inspired influential changes in the relationship between humans and landscape...
A vulnerability to industrial and other threats gave rise to the idea that valued landscapes should be nurtured and protected...
It led directly to creation of National Trust...

5. Where might impacts occur?

5.1. Boundaries, Buffer Zones and the Wider Setting

- 5.1.1. A World Heritage property is defined by a boundary, and ‘ideally all the attributes of OUV will be located within that boundary’². The boundary of the Lake District World Heritage Site is shown on Figure 4 (appended).
- 5.1.2. A World Heritage property may also be surrounded by a formally recognized World Heritage buffer zone(s) which supports the protection of the property’s OUV and attributes, e.g. by providing visual access to the sky behind a significant skyline, or by connecting components of a World Heritage property. Buffer zones have complementary legal restrictions placed on their use and development to provide an added layer of protection to the World Heritage property.
- 5.1.3. Because the Lake District World Heritage Site follows the boundaries of the Lake District National Park, it was deemed (by the Lake District National Park World Heritage Partnership) to be big enough to prevent

² UNESCO *Guidance and Toolkit for Impact Assessments in a World Heritage Context* p.14

development that would have an adverse impact on the attributes of its proposed Outstanding Universal Value without requirement for a buffer zone. Also, National Parks are the highest level of landscape protection within the UK planning system, which requires all relevant authorities (including adjoining local planning authorities) to have regard to the purposes of National Park designation when exercising functions in relation to, or so as to affect, land in the National Park. This means that the neighbouring planning authorities must take into account, inter alia, the need to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park. If proposals are likely to have a significant adverse impact on the natural beauty, wildlife and cultural heritage of the National Park then they should be refused.³

- 5.1.4. Every World Heritage property is surrounded by a wider setting, which is the immediate and extended environment that is part of, or contributes to, its significance and distinctive character. The extent of the wider setting is not defined in the nomination document for the Lake District World Heritage Site.

5.2. The A66 Northern Trans-Pennine Project

- 5.2.1. National Highways proposes to improve the A66 by providing a dual two-lane carriageway between M6 Junction 40 at Penrith and the A1(M) Junction 53 at Scotch Corner (the Project). The Project, comprised of eight individual schemes, will help facilitate national and regional connectivity, improve safety and improve the standards of the whole A66 in order to work towards the transformational growth envisaged by the Northern Powerhouse initiative.

- 5.2.2. The westernmost, and nearest of the eight schemes comprising the A66 Project to the World Heritage Site, is the M6 Junction 40 to Kemplay Bank scheme. The Order Limits for this scheme extend west of the Junction 40 into Skirsgill Park as shown in Figure 5 (appended). The scheme is located south of Penrith in an area of relatively flat land north of the Rivers Eamont and Lowther. These river valleys form a junction with the north/south movement corridor followed by the M6, A6 and the West Coast Mainline railway. At its nearest point the boundary of the Lake District World Heritage Site lies 2.3km from the Order Limits, see Figure 5. The north/south movement corridor and the valleys of the Eamont and Lowther south of Penrith lie within the wider setting of the Lake District.

5.3. Project Scoping and Examination

- 5.3.1. An Environmental Scoping Report (APP-148) was submitted to the Secretary of State in June 2021. Section 9 of the Report sets out the approach to be adopted in the Cultural Heritage assessment. The key questions for scoping included:
- Do you agree with the proposed scope of the cultural heritage assessment outlined in this chapter?

³ Lake District National Park Partnership, Nomination of the English Lake District for Inscription on the World Heritage List, Section 5

- Do you agree with the proposed study area and methodology for undertaking the cultural heritage assessment outlined in this chapter? Are there any comments on the methodology you wish to raise?
 - Is there any baseline information or data that you wish to draw our attention to, or are able to provide us with to inform our assessments?
 - Are there any other key issues or aspects relevant to the cultural heritage assessment that you wish to bring to the attention of the design and assessment team?
- 5.3.2. The study area for the purposes of scoping was defined according to the sensitivity of the receiving environment and the potential impacts of the Project. The proposed study area for designated assets extended 1km from the centreline of each Scheme. This buffer was selected on the basis of professional judgement and experience. This reflects that, by their nature, linear road schemes would sit within a landscape, and are likely to be visible for short stretches of their overall length; as such they are highly unlikely to alter the setting of heritage resources to a degree that would result in either a significant adverse or beneficial effect beyond 1km. In addition, it was proposed in the Scoping Report that the noise model and landscape Zone of Theoretical Visibility (ZTV) would be reviewed against known designated heritage resources of very high and high value in order to identify any such heritage resources up to 2km from the A66 Project. Very high value designations were defined as being of 'Very high importance and rarity, international scale and very limited potential for substitution. Includes World Heritage Sites and nominated sites'. As per paragraph 9.3.4 of the Scoping Report [APP-148] it was considered that it is unlikely that there will be any effects, on heritage significance (including the OUV of the WHS) beyond 2km.
- 5.3.3. This process is in line with the considerations laid out in the Guidance and Toolkit for Impact Assessment in a World Heritage Context noted in Section 2 above. The purpose of this Note is to give confirmatory detail of why no Heritage Impact Assessment was required including in accordance with the Toolkit and Guidance.
- 5.3.4. Historic England and Westmorland and Furness Council (formerly Cumbria County Council) responded to the Scoping Report consultation invitation within the statutory deadline and their responses were incorporated into the Scoping Opinion (APP-149) issued by the Planning Inspectorate on behalf of the Secretary of State. The Scoping Opinion does not record a response from the Lake District National Park Authority. The Scoping Opinion accepted the proposed study area laid out in the Scoping Report and as a result the Lake District World Heritage Site was not included in the assessment presented in the Environmental Statement forming part of the DCO application and a standalone Heritage Impact Assessment for the World Heritage site was not considered necessary.
- 5.3.5. The A66 application for a DCO was accepted by the Planning Inspectorate on 19 July 2022.
- 5.3.6. On 24 August 2022 the Lake District National Park Authority (LDNPA) submitted a representation (RR-055) noting its intent to register as an Interested Party citing inter alia :

‘Generation of increased traffic as a result of the scheme impacting on the Lake District, where there are already visitor traffic and parking issues, and leading to further development pressure within the National Park and World Heritage Site. In view of the development being within the setting of the Lake District World Heritage Site consideration could be made of whether a Heritage Impact Assessment for the infrastructure at the Western end of the route should be produced.’

5.3.7. Historic England commented in its written representation dated 18 December 2022 (REP01 -026) that the Lake District WHS had been neither scoped in or out of the ES. In Historic England’s opinion ‘If a WHS site has been screened out of a detailed EIA under an Environmental Statement, there would need to be clear and convincing justification, with appropriate evidence, to demonstrate the lack of impact that has been assessed. At present, the ES doesn’t make this clear, and this should be addressed.’ It further suggested that the assessment should utilise the UNESCO Toolkit and Guidance for Assessment in a World Heritage Context.

5.3.8. The purpose of this Note is to give confirmatory detail of why no Heritage Impact Assessment was required including in accordance with the processes set out in the Toolkit and Guidance.

5.4. Traffic Modelling and interaction with the OUV of the Lake District WHS

5.4.1. Outputs from the Strategic Transport Model, as described in Chapter 4 of Combined Modelling and Appraisal Report (Examination Document Reference 3.8 APP-237) show the additional daily traffic that is anticipated as a result of the project. The model is considered the most appropriate tool to accurately undertake this task, as paragraph 4.3.1 of the Report states: ‘The model has a focus on the area immediately affected by the Project, but it also covers the whole of Great Britain. It includes a representation of the road network and looks at where the demand for trips starts and ends.’

5.4.2. All traffic entering the Park can be identified by summing the traffic on all roads crossing into the national park boundary between the A595 at Dalston in the north, and the A6 at Milnthorpe in the south.

5.4.3. In 2019 in that area there were 49,700 modelled vehicle trips per direction per day. By 2044, without the Project in place this would increase by 33% to 66,100 modelled vehicle trips per direction per day due to background traffic growth. With the Project in place there would be an additional 350 trips compared to the without Project scenario forecast, which represents an increase of 0.5% in total trips made into the park. Therefore, almost all the increase shown in the model would occur **without** the Project. The impact of the Project on these numbers is negligible.

5.4.4. Table 1 sets out the Lake District’s attributes of OUV as noted above and how they might be affected by the Project’s contribution to the traffic model outputs noted above.

Table 1 - Potential Project impacts upon the Lake District World Heritage Site attributes of Outstanding Universal Value

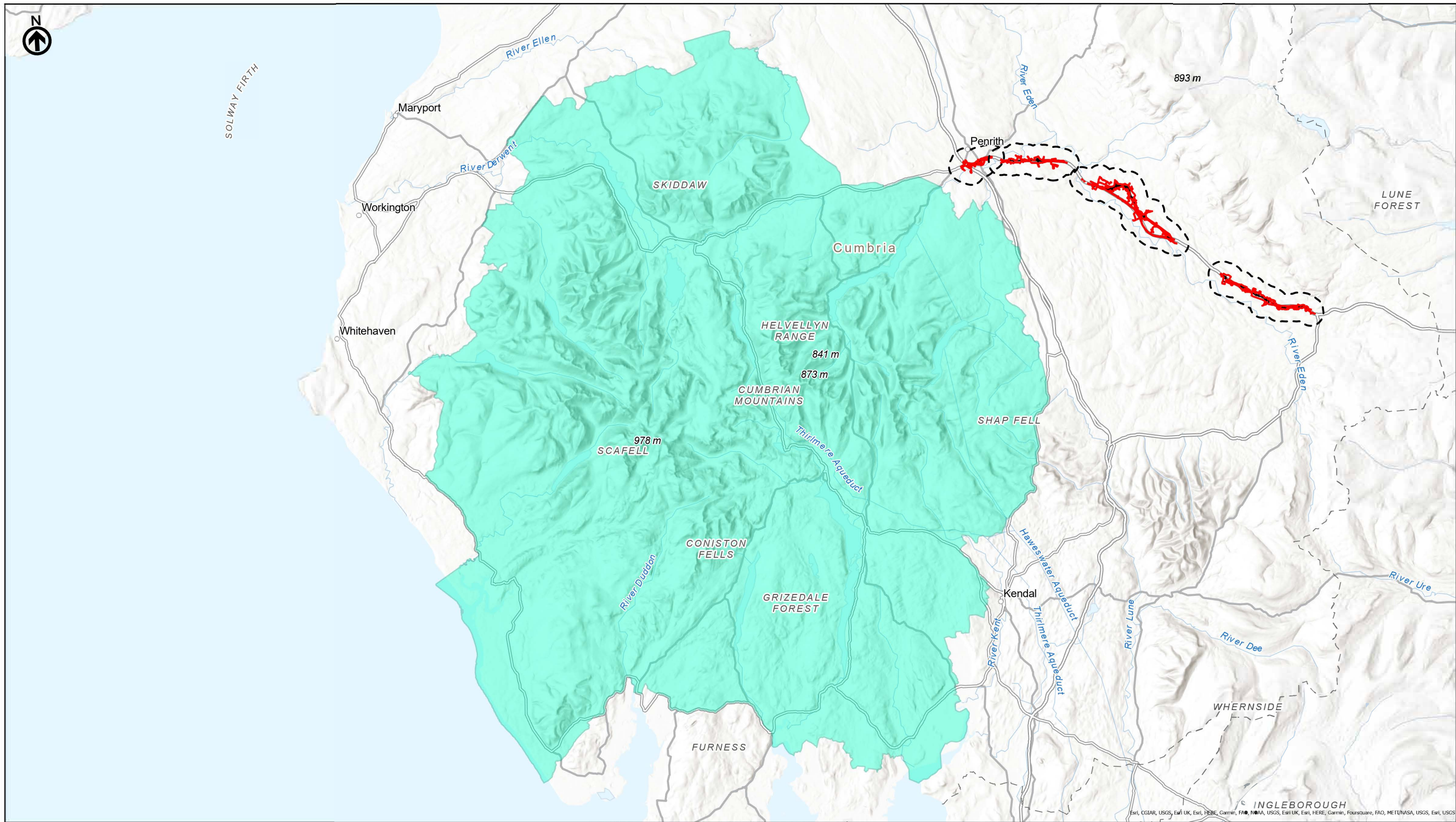
Attribute	Comment
Extraordinary beauty and harmony	Negligible changes to traffic flow on existing roads with Project in place would not result in perceptible change
Fusion between a natural landscape and communal farming system	Fusion between landscape and farming system not likely to be affected by negligible change in traffic flows in the with Project scenario.
Landscape reflects long history of settlement, agriculture and industry	Changes to traffic flow on existing roads would not remove or obscure evidence for a long history of settlement, agriculture and industry
An evolved pastoral system	Negligible changes to traffic flow on existing roads with Project in place would not affect the evolved pastoral system which is dependent on other factors for its continued viability
Hefted grazing	Negligible changes to traffic flow on existing roads with Project in place would not affect hefted grazing which is dependent on other factors for its continued viability
Vernacular buildings of a simple functional character	Changes to traffic flow on existing roads would not affect building character
Distinctive pastoral landscape of harmonious beauty	Negligible changes to traffic flow on existing roads with Project in place would not result in perceptible change to the pastoral landscape
It has inspired influential changes in the relationship between humans and the landscape	As an attribute of OUV which has occurred in the past this aspect is not susceptible to impact from the Project and, from the perspective of the present, visitors' ability to appreciate the concept behind this aspect of the WHS will not be impeded by negligible changes to traffic flow on existing roads
A vulnerability to industrial and other threats gave rise to the idea that valued landscapes should be nurtured and protected	As an attribute of OUV which has occurred in the past this aspect is not susceptible to impact from the Project and, from the perspective of the present, visitors' ability to appreciate the concept behind this aspect of the WHS will not be impeded by negligible changes to traffic flow on existing roads
It led directly to the creation of the National Trust	As an attribute of OUV which has occurred in the past this aspect is not susceptible to impact from the Project and, from the perspective of the present, visitors' ability to appreciate the concept behind this aspect of the WHS will not be impeded by negligible changes to traffic flow on existing roads

6. Conclusion

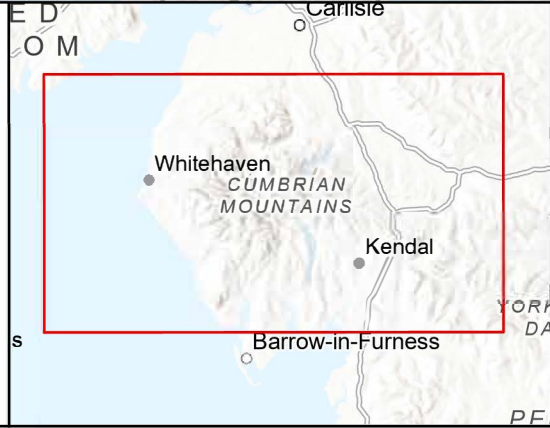
- 6.1.1. It is accepted that the Lake District World Heritage Site is highly valued and vulnerable to changes which could affect its Outstanding Universal Value.

- 6.1.2. However, the A66 Project is located outside of the World Heritage Site boundary and will not have a direct physical effect on the Site. The World Heritage Site does not have a buffer so impacts on a buffer will not occur.
- 6.1.3. The westernmost scheme of the A66 Project is located within the wider setting of the World Heritage Site. However, the distance between the World Heritage Site boundary and the Project means that visual or noise changes as a result of the Project would not result in change to heritage significance or impact on the OUV.
- 6.1.4. Changes to traffic flows within the World Heritage Site can be seen in the Strategic Transport Model. The degree of change represented by the presence of the A66 project is negligible when compared to the predicted increases from other causes. The negligible changes to flow attributable to the Project would take place in the context of an existing road network and have no potential to impact on attributes of the OUV of the World Heritage Site.
- 6.1.5. It is therefore confirmed, following the methodology laid out in the Toolkit and Guidance for Assessment in a World Heritage Context, that a Heritage Impact Assessment is not required in this case.

Figures (appended)



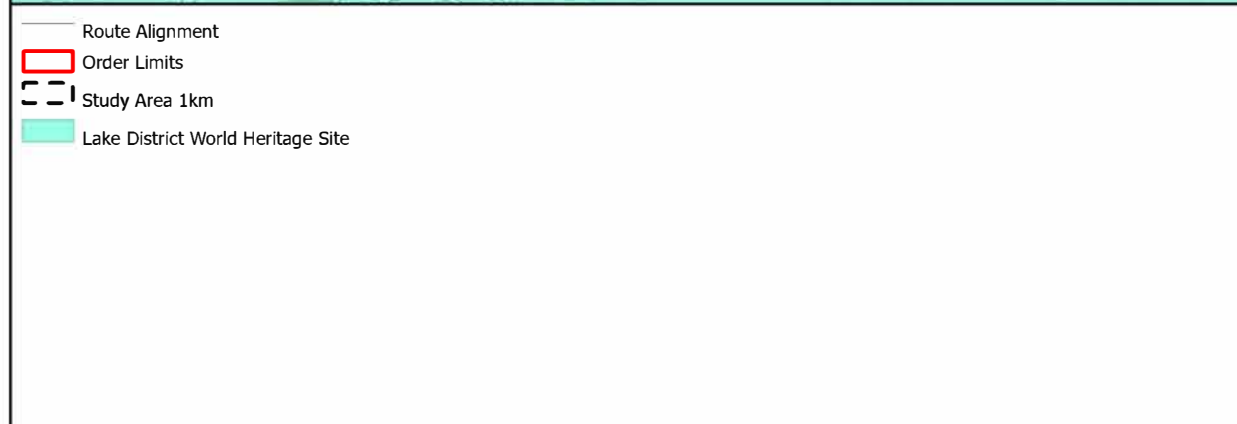
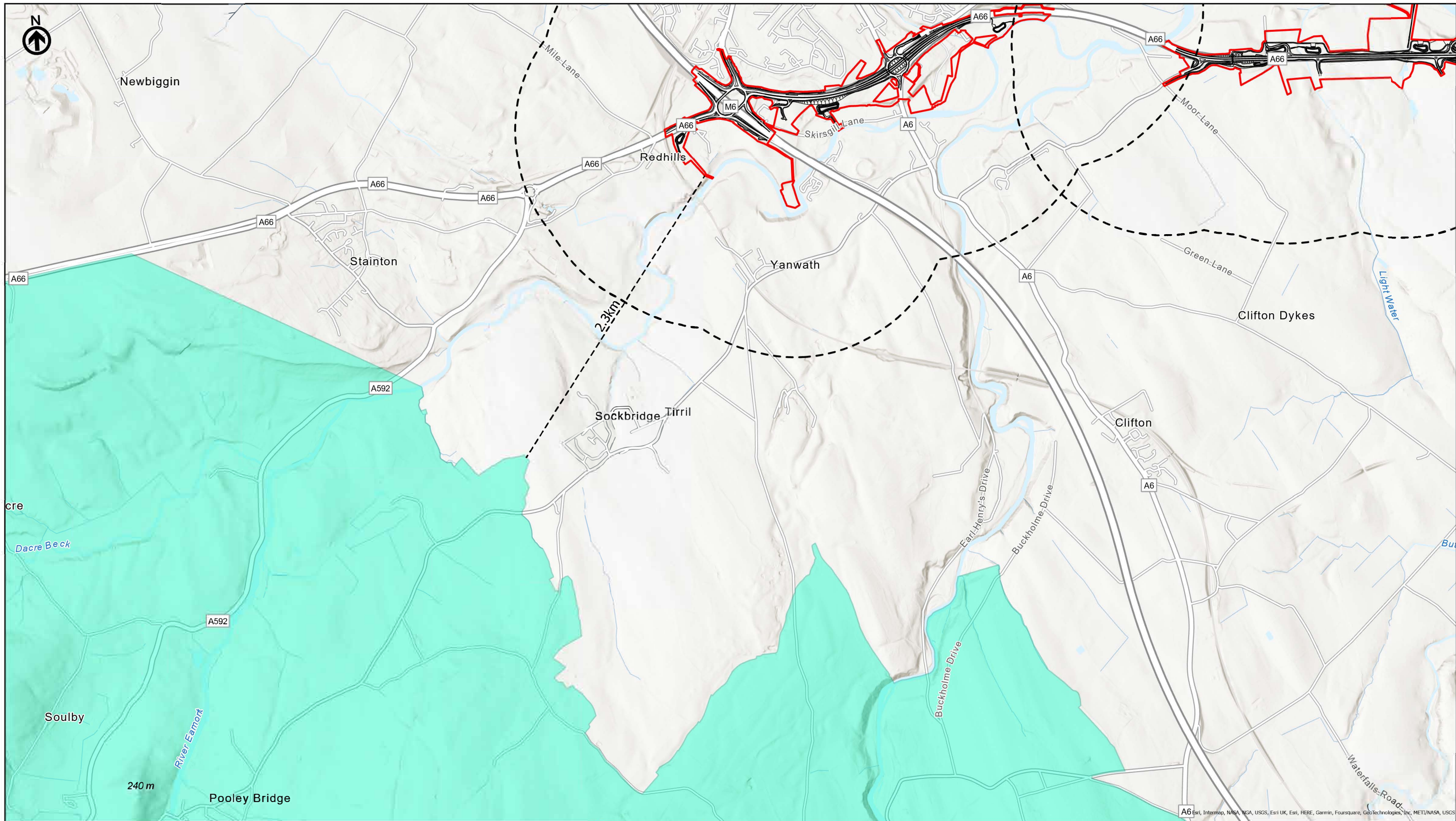
- Route Alignment
- Order Limits
- Study Area 1km
- Lake District World Heritage Site




national highways
 3 Piccadilly Place
 Manchester
 M1 3BN

P01	First Issue				
	CESL	PKEL	LWAL	AWAR	KWHA
	17/04/23	17/04/23	17/04/23	17/04/23	17/04/23
Revision	Created	Checked	Reviewed	Approved	Authorised
Scale @ A3:1:300,000 Project Ref No HE565627 Stage: Stage					
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Project Name A66 Northern Trans-Pennine Project			
Map Title Figure 4: Lake District World Heritage Site location			
Map Number Project	Originator	Volume	
HE565627	AMY	EGN	
S00	MP	LX	200000
Location	Type	Role	Number
Suitability S2	SUITABLE FOR INFORMATION	Revision P01	



P01	First Issue				
	CESL	PKEL	LWAL	AWAR	KWHA
Revision	Created	Checked	Reviewed	Approved	Authorised
0 600 1,200 Metres					
Scale @ A3: 1:24,000 Project Ref No HE565627 Stage: Stage © Crown copyright and database right (2023). All rights reserved. OS 100030649. Contains public sector information licensed under the Open Government Licence v3.0.					


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 Manchester
 M1 3BN

Project Name			
A66 Northern Trans-Pennine Project			
Map Title			
Figure 5: Lake District World Heritage Site and location in relation to the Project at it's closest point			
Map Number	Project	Originator	Volume
HE565627	-	AMY	-
S00	-	MP - LX	-
Location	Type	Role	Number
Suitability	Suitability Description		Revision
S2	SUITABLE FOR INFORMATION		P01