



Historic England

Louise Fradd
Place Strategic Director
Bath & North East Somerset Council
Lewis House
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24 January 2017

Dear Louise,

Park and Ride to the east of Bath – 25 January 2017 Cabinet Report

We note an intention to submit a report to the B&NES Cabinet this Friday proposing a commitment to a Park and Ride facility on the 'Meadows' (site B or F) to the east of the city.

Although the Cabinet Report does not intend to take a planning decision, it commits the local authority to pursue a course of action that is likely to lead to the submission of a planning application for development of a Park and Ride facility within the setting of the World Heritage Site (WHS).

Historic England considers that the Cabinet report currently appears to underplay the importance of the WHS and how decisions affecting its Outstanding Universal Value (OUV) need to be made. To help to improve the robustness of the Report could we therefore respectfully suggest the following clarifications are considered:

1. That the Report highlights that the Bath WHS is a heritage asset of the highest significance and that the NPPF makes clear that the significance of a designated heritage asset derives not only from its physical presence, but also from its setting.
2. That the Report refers to the UK government as a State Party to the 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage (known as the World Heritage Convention) and the expectation as a consequence i.e. the international and national requirements for the protection of the OUV of WHS.
3. That the Report highlights the specific tests in national planning policy and the PPG that apply to such development within the setting of a WHS.
4. That the Report confirms that robust and convincing justification is required for any harm in accordance with national planning policy.



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5. That the Report sets out the OUV of the Bath WHS (as set out in the Statement of OUV), and the relevant attributes. <https://www.bathworldheritage.org.uk/documents>
6. That the Report sets out a reasonable summary of the impact (and degree of harm) to the OUV of the WHS that is likely to occur, which has been informed by a heritage assessment and the application of the Bath WHS Setting SPD (B&NES 2013).

Although the report (at paragraph 6.4) states that “*the WHS and its setting were integral to the assessment of the various options*” it does not state what assessment was undertaken, what evidence was applied and what the impact on the OUV of the WHS would be.

In our correspondence of 23 September 2016 we advised the value of being able to reassure UNESCO, the Department for Culture, Media and Sport and Historic England, amongst others, that the Council has considered and applied, at this stage, a preliminary assessment which acknowledges the specific [International Council on Monuments and Site’s Heritage Impact Assessment guidelines](#) and [Historic England’s guidance on setting and views](#), and set out in a clear and robust way the benefits, and or harm to the OUV of the initiative and preferred site(s). This would then help to demonstrate an informed case and in doing so reduce the risk of objection, potential call in and a UNESCO Mission visit.

The only reference to the impact on the WHS of site F (one of the preferred sites) is “*There would be some impact on the WHS as a result of the loss of grazing meadows; and site B (the other preferred site) “The grazing meadows associated with the river are very much as they would have been in past times and are important in relation to the OUV of the WHS, in particular, grazing and agricultural uses that reflect those carried out during the Georgian period.*

Historic England considers this appears to underestimate the contribution of the sites to the OUV of the WHS.

7. That the Report confirms that Historic England had formally advised B&NES (L Fradd Director 23 September 2016) that specific ICOMOS advice on Historic Impact Assessments and Historic England’s guidance on setting and views, should be applied to the process of finding a suitable site. As a consequence the Report needs to be corrected as paragraph 6.4 of the Cabinet is misleading in that it states “*The WHS and its setting were integral to the assessment of the various options and a Heritage Impact Assessment will be part of any planning application. In line with national guidance and the advice of Historic England*”.

It would be helpful to understand the extent to which potential impacts on the WHS and its setting were assessed to inform the decision on the choice of site. Is the local authority able to say whether a preliminary outline Heritage Impact Assessment of the preferred sites and other possible locations has been undertaken to inform the decision?

8. That the Report clearly indicates that a designated AONB is of no greater importance in planning terms than a WHS. The Cabinet report implies otherwise. For example paragraph 6.6 of the Cabinet states

“Paragraph 116 of the NPPF says that planning permission should be refused for major developments in these designated areas (AONBs) except in exceptional circumstances and where it can be demonstrated



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they are in the public interest. Consideration of such applications should include an assessment of, amongst other things, the scope for developing elsewhere outside the designated area, or meeting the need for it in some other way”.

The Cabinet report fails to set out the equivalent national policy expectation for a WHS and therefore it may be deemed that unequal weight has been applied.

Paragraph 7.1 *“Those (sites) within the AONB would cause significant harm and would have to pass a high test of whether or not there were alternatives available outside the AONB”.*

Again there is no equivalent such commentary in relation to the WHS and the importance one needs to attach to its OUV.

Likewise the Cabinet report sets out, at paragraph 6.2, the relevant national policy consideration in relation to a Park and Ride site within the Greenbelt but not in relation to the setting of the WHS.

If we can be of any assistance or you would like to discuss the issues raised do please get in touch.

Historic England very much values its positive relationship with the Council and recognises the importance of the continuation of our open and constructive dialogue on these and other strategically important heritage matters.

Yours sincerely

Simon Ramsden

Principal Inspector of Historic Buildings and Areas

CC Lisa Bartlett, Divisional Director: Development



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