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Kishore Rao
Director
World Heritage Centre
UNESCO
7 Place de Fontenoy
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18 February 2014

Dear Kishore

New Lanark World Heritage Site

Please find enclosed our response to UNESCO's letter of 5 February. This response sets out the approximate timescales within which Scottish Ministers will make their decision on the proposed extension of Hyndford Quarry.

Yours sincerely

Leila Al-Kazwini
Head of World Heritage

CC Andrew Burke Scottish Government
Dr Christopher Young English Heritage
Sue Cole English Heritage
Matthew Sudders



Enc – Response by Scottish Government

State of Conservation New Lanark World Heritage Site (Hyndford Quarry/ Pleasance Housing Scheme)

We note the concerns of the World Heritage Centre and the Advisory Bodies to the Committee about the potential negative impact of the proposed extension of Hyndford Quarry and proposed Pleasance Housing Scheme on the Outstanding Universal Value of this World Heritage property.

As requested, we are responding to set out timescales within which Scottish Ministers will make their decision on the proposed extension of Hyndford Quarry. There are, however, a number of variables involved in the handling of call-in cases that we are unable to predict and so we must emphasise that the timescales set out here are indicative ranges only, based on average timescales in other call-in cases.

Following Scottish Ministers' decision on 30 January that the application would be called in for Ministers' own determination, the case was referred to the Scottish Government's Directorate for Planning and Environmental Appeals (DPEA). The DPEA has since requested copies of all papers pertaining to the case from South Lanarkshire Council. At present, there is no indication of when the papers will be delivered to DPEA but we understand that this can take several weeks, depending on the complexity of a case.

Upon receipt of the requested papers from South Lanarkshire Council, the DPEA will appoint a reporter, to whom the case will be allocated. All reporters are independent experts who will make an impartial assessment of each case based on the relevant planning considerations and policies. They are appointed to hear the evidence and submissions from interested parties and to draw conclusions and make recommendations to Scottish Ministers.

Once appointed, the reporter will evaluate the case and decide whether further information is required upon which to base a decision. If so, the reporter will also decide whether this further information should be sought by written submission or through oral process. In either eventuality, a site inspection is undertaken by the reporter.

If the reporter decides that no oral process is required and that only written submissions are required, the fact-finding stage of the investigation could be completed relatively quickly, in as little as six to eight weeks. The report of findings, including a recommendation, would then be submitted to Scottish Ministers by the reporter within three months. **We can therefore advise the World Heritage Centre that if written process is pursued, the reporter's recommendation is unlikely to be submitted to Scottish Ministers until at least five months after the DPEA has received all necessary papers on the case from South Lanarkshire Council. Following submission of the report, Ministers will aim to issue their decision within three months.**

If, however, the reporter decides that an oral process may be required, a pre-examination meeting will then be held, usually within two to three months. We understand that the greater the volume of evidence submitted to the local authority's planning department, the longer that it can take for such a meeting to be organised, as the reporter must write to everybody who has already submitted evidence or objections inviting their participation.

That pre-examination meeting would decide whether or not oral process is required. If the decision is taken that oral process is required, it usually takes between two and three months to arrange the inquiry. An oral process might include a hearing session which is essentially a structured discussion led by the reporter or an inquiry session which would include formal cross examination.

Following the hearing session or inquiry (which would deal only with points of the case that the reporter deemed to be contentious) the reporter would write up a report, including a recommendation to Ministers, within three months. **We can therefore advise the World Heritage Centre that if oral process is pursued, the timescale for the reporter's recommendation being submitted to Scottish Ministers is likely to be closer to ten months after the DPEA has received all necessary papers on the case from South Lanarkshire Council. Following submission of the report, Ministers will aim to issue their decision within three months.**

We would reiterate to the World Heritage Centre that timescales set out here are indicative ranges only, based on average timescales in other call-in cases. The case has not yet transferred from South Lanarkshire Council to the DPEA, so no reporter has been appointed at this stage. Once the case has been transferred to the DPEA and a reporter has been appointed and has read into the case, we will be able to provide the World Heritage Centre with a clearer indication of anticipated timescales.

We wish to reassure UNESCO that the process for this call-in will be undertaken in full accordance with the The Town and Country Planning (Appeals) (Scotland) Regulations 2013, and that we will provide UNESCO with updates as and when the timescales attached to the process become clearer. Progress on planning appeals and call-ins in Scotland can also be viewed at the DPEA's website, <http://www.dpea.scotland.gov.uk/>. The call in process is one element in the Scottish planning system designed to ensure that planning proposals are subject to appropriate and rigorous consideration.

Historic Environment Policy Unit
Directorate for Culture and Heritage
Scottish Government



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Director, World Heritage Centre
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22nd January, 2014

Dear Kishore,

State of Conservation of the World Heritage property of “New Lanark”, United Kingdom of Great Britain and Northern Ireland

Thank you for your letter of 10 December 2013 transmitting correspondence from a local NGO concerning the state of conservation of the above World Heritage property. Your letter also refers to the World Heritage Centre's email of 23 October transmitting comments from ICOMOS International in relation to the Hyndford Quarry and Pleasance Housing Scheme proposals.

I am pleased to attach a letter from the Scottish Government in relation to both schemes, along with a more detailed note from Historic Scotland.

Please let us know if you require further information.

Yours sincerely,

Francesca Conlon
Head of Heritage Policy

Cc: HE Matthew Sudders, UK Ambassador to UNESCO
UK National Commission for UNESCO
Scottish Government
Lesley Macinnes, Historic Scotland

Francesca Conlon

Head of Heritage Policy
Department of Culture Media and Sport]

Francesca,

We would be grateful if you could convey our thanks to the World Heritage Centre for their email of 23 October with comments attached from ICOMOS International (dated August 2013) on proposals for the extension of Hyndford Quarry and Pleasance housing scheme.

We should also pass on our thanks to the World Heritage Centre for its email of 11 December, enclosing the letter from Mr Kishore Rao. This invited comments on a number of documents submitted directly to the World Heritage Centre by Professor Mark Stephens, Chair of Save Our Landscapes.

In responding to the comments made by ICOMOS International and Save Our Landscapes, we have sought comments from Historic Scotland, the executive agency of the Scottish Government, that is charged with safeguarding the nation's historic environment on behalf of Scottish Ministers.

Historic Scotland has provided a detailed document setting out:

- Detail of the Historic Scotland's role in the planning system in Scotland and its role in the Hyndford Quarry and Pleasance housing planning applications
- The reasoning behind Historic Scotland's response to the Hyndford Quarry proposal
- Comment in relation to criticism of Historic Scotland's handling and assessment of the Hyndford Quarry case by Save Our Landscapes.

Historic Scotland's document is appended to this letter. We hope that this commentary is helpful to the World Heritage Centre and can assist in allaying concerns in relation to the handling of these planning applications.

Hyndford Quarry extension

In 2008, the joint UNESCO / ICOMOS mission report into the Edinburgh World Heritage Site noted that the national legislation and policy in Scotland is sufficiently effective, with no lack of legal protection of heritage, and with legislation corresponding to international standards. In handling the application to extend Hyndford Quarry, the same national legislation and policy framework is in place and being followed.

South Lanarkshire Council, the local Planning Authority who are responsible for determining the application, has now considered the planning application and announced on 17 December that it is minded to grant consent for the proposed quarry extension. In arriving at their decision, the Council considered all of the evidence submitted through the consultation process in order to decide whether the proposal meets with the Council's own Development Plan for the area. This evidence included submissions that argue that the proposal will impact on the OUV of New

Lanark (such as Save Our Landscapes and ICOMOS UK) and submissions that do not find any significant impact on OUV (such as Historic Scotland's).

Normally, there would be no automatic requirement for South Lanarkshire Council to notify Scottish Ministers if they are minded to grant consent for a planning application where Historic Scotland has not objected. However, in this case, Scottish Ministers have issued a 'Notification Direction' for the application, which means that Scottish Ministers are now considering whether or not the proposal raises issues of national importance which would merit their intervention.

We have therefore forwarded ICOMOS's letter of 24 October to colleagues in the Scottish Government's Planning and Architecture Division for their attention and consideration in light of their wider assessment. Only if the application is called in by Ministers would a Reporter be appointed to examine the case and consider all matters in detail.

Given that the planning application is still live and with Scottish Ministers for their consideration, we are unable to offer a view on the merits of the planning application or its potential impact on the OUV of New Lanark World Heritage Site, as this could prejudice any decision that Scottish Ministers make. We hope that the World Heritage Centre will understand this position.

Pleasance Housing

Although Historic Scotland's preference was that the above application be refused on the grounds of its visual impact on the site and its OUV, it is important to note that this was an application for planning permission in principle, and Historic Scotland will be involved in further discussions at detailed application stage, to ensure that the impact on the OUV can be minimised through layout and design.

In 2008, the joint UNESCO / ICOMOS mission report into the Edinburgh World Heritage Site noted that the national legislation and policy in Scotland is sufficiently effective, with no lack of legal protection of heritage, and with legislation corresponding to international standards. We note that ICOMOS has recommended that a Cultural Heritage Impact Assessment should be provided in relation to the proposed Pleasance housing scheme. We understand that HIA is aimed at states without such measures in place.

It would be therefore be helpful if the World Heritage Centre could clarify if it still believes this to be necessary, particularly given that Historic Scotland will maintain a role at detailed application stage, to ensure that any impact on the OUV can be minimised through layout and design.

We would be grateful if you could convey these comments to the World Heritage Centre.

Historic Environment Policy Unit
Directorate for Culture and Heritage
17 January 2014

Proposed Extension to Hyndford Quarry and Proposed Housing at the Pleasance - Historic Scotland Comments

January 2014

SUMMARY

This document sets out Historic Scotland's response to concerns raised about our assessment of and response to the proposals to extend Hyndford Quarry. It also sets out the current position on the proposed housing at the Pleasance, Kirkfieldbank.

Historic Scotland considered the issues at Hyndford Quarry very carefully before deciding not to raise a formal objection to the proposals. This conclusion was based on the accepted international principle that the Buffer Zone of a World Heritage Site (WHS) does not preclude development in that area, but seeks to ensure that all proposed development within that area is considered carefully in terms of its likely impact on the Outstanding Universal Value (OUV), authenticity and integrity of the World Heritage Site itself. It is important to note that a Buffer Zone has no prescribed heritage value in itself and is designated only as an area in which any proposed development should be assessed in terms of its potential to affect the OUV of the WHS.

Having considered the proposals for Hyndford Quarry in the context of the above, we concluded that the likely impact on the OUV, authenticity and integrity of the WHS is minimal and was not significant to any extent and certainly well below a level where we would consider lodging an objection. This view is not at odds with our continued understanding of the importance of the landscape setting of New Lanark WHS, but is based on our assessment that the impact on that setting is not significant in this case because important views would not be affected and there is very limited potential intervisibility between the edge of the WHS and the proposed quarry extension. We understand that intervisibility is not the only factor in the assessment of setting, but found no other factor in this proposal to be of sufficiently significant concern to justify an objection.

It is important to establish that the assessment of the impact on the WHS was separate to our assessment of the impact on the Falls of Clyde Inventory Designed Landscape (GDL). We agreed with the applicant that there was likely to be a significant detrimental impact on this part of the GDL, and as a result sought to mitigate this impact by seeking amendments to the proposal. The western extension of the quarry has been amended to reflect our comments. The issue of the GDL is separate to that of the WHS, but it appears that these two issues are being conflated in much of the public commentary on the proposals. Our view is that it is possible to have a significant impact on the GDL without an associated impact on the OUV or the setting of the WHS.

A local campaign group, Save Our Landscapes (SOL) and ICOMOS UK have criticised Historic Scotland's handling of the case and assessment of the impact of the proposals. We handled the case according to established policy and practice,

and do not find that the assessment by SOL introduced any evidence to causes us to alter our conclusions.

In the case of the proposed housing at the Pleasance, Kirkfieldbank, Historic Scotland were consulted on an application for Planning Permission in Principle (PPP), and objected to that application. The objection was based on the potential impact on the OUV because of the likely prominence of houses built on part of the site in views from the WHS and the impact on the immediate landscape setting of New Lanark. South Lanarkshire Council did not consider that the potential impact justified refusal, and granted consent in principle with a range of conditions. Historic Scotland will be further involved and are satisfied that the conditions and our further involvement can mitigate that potential impact through location, layout and design of the proposed housing.

PROPOSED EXTENSION TO HYNDFORD QUARRY

1. The Proposal and Planning Context

- 1.1. Cemex have proposed an extension to their existing quarry at Hyndford.
- 1.2. The proposal will extend the quarry to the south and the west of the existing site. The extension to the south is not considered to have any significant impacts on the historic environment. The extension to the west would extend into the Buffer Zone of the New Lanark World Heritage Site.
- 1.3. The application was made to South Lanarkshire Council, the Planning Authority for the area.

2. Historic Scotland's Role in commenting on the Planning Application and handling of the application

- 2.1. It is important to set out the role of Historic Scotland in this planning application to ensure that this is fully understood. The context for Historic Scotland commenting on this application is our role as a statutory consultee within the Scottish planning system, Historic Scotland had a number of specific functions to undertake in commenting on this application.
- 2.2. There were two separate requirements to consult Historic Scotland on this application. The first was through the Environmental Impact Assessment (EIA) regulations, where Historic Scotland is consulted on EIA via the Scottish Ministers as their advisors on certain aspects of the historic environment, namely a property appearing in the World Heritage list and/or a scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979. This is set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Under the Development Management Procedure Regulations (DMPR), local authorities are also required to consult Scottish Ministers (Historic Scotland) on any proposals which may have an impact on the setting of Category A Listed Buildings, Scheduled Monuments, Gardens and Designed Landscapes or designated Battlefields. In practice this means that Historic Scotland is

consulted on a wide range of projects where EIA is required for these matters.

- 2.3. It is worth noting that there is not, and has never been, a specific requirement to consult Historic Scotland in terms of the impact on New Lanark World Heritage Site. However, the EIA regulations set out a need for the planning authority to consider the effect of development in these locations. Historic Scotland's practice is to consider the impact on the OUV as part of our assessment of all applications within the Buffer Zone.
- 2.4. Historic Scotland will object to a planning application only when we consider that a proposal raises issues of national significance. If Historic Scotland object on the basis of an impact on a Category A listed building or its setting or a Scheduled Monument or its setting and the local authority are minded to grant consent in the face of that objection, the local authority are required to notify Scottish Ministers of that intention, and Ministers have the opportunity to 'call-in' the application, which effectively takes the decision out of the hands of the local authority. An objection in terms of an impact on the OUV of a World Heritage Site, an Inventory Garden or Designed Landscape or a battlefield does not trigger a notification and the local authority is free to grant consent if they see fit. The exception to this is when, as in the current application, Scottish Ministers have issued a specific Notification Direction for the application.
- 2.5. Historic Scotland (HS) has been aware of this proposed development since 2010, when pre-application discussions took place between the developer, HS and the New Lanark Trust (NLT). HS also requested that South Lanarkshire Council (SC) be present at those early meetings but this was not taken up by the developer. In 2010 HS followed up a meeting with the developer with a letter setting out the issues that would require to be considered by the developer as they progressed their proposals. A view on the principle of the development was also offered at this stage. Pre-application responses were copied to the Council.
- 2.6. HS was also consulted 'formally' via the Council on an Environmental Impact Assessment (EIA) scoping report in June 2011 and a response was issued on 6 July 2011. The purpose of EIA scoping is to agree likely significant impacts to be assessed and the information to be included in the Environmental Statement.
- 2.7. A consultation on the formal application was received on 3 December 2012. HS caseworkers visited the site on 9 January 2013, prior to returning comments to SC on the planning application and Environmental Statement.
- 2.8. Historic Scotland's Role in the EIA:
 - 2.8.1. As noted above, Historic Scotland's involvement in relation to our role in EIA for this project began in June 2011 when we were consulted on the scoping report by South Lanarkshire Council. Historic Scotland was then consulted on both the planning application and the accompanying

Environmental Statement by the planning authority in December 2012.
The following points on EIA are relevant to our involvement in this case.

- The aims and purpose of the EIA process are addressed in SAG advice set out in [Circular 3/2011](#) and [Planning Advice Note \(PAN\) 1/2013](#). In summary, it is a means of assessing the likely significant environmental effects of a proposal and the potential to avoid, reduce or offset them. The findings of an EIA, as reported in an Environmental Statement (ES') are not necessarily determinative of the outcome of either the Consultation Authority or the Planning Authority's consideration of any qualifying project. The purpose is to ensure that decisions are taken in full knowledge of any significant impacts and potential for measures to mitigate them.
- The requirements of EIA regulations are separate but related to any planning pre-application or application processes that will also be required for projects of this nature. Historic Scotland's position on pre-application consultation for national and major developments is set out in the [Key Agencies statement](#) on the matter.
- The developer is entitled to determine for themselves that a project may require an EIA (see paragraph 58 a of circular 3/2011). It is the planning authority's role to issue a scoping opinion, taking into account information and advice provided by the EIA Consultation Authorities.
- Scoping is not mandatory in the EIA process but it is considered good practice for developers to seek a scoping opinion from the planning authority, as was undertaken in June 2011. Scoping of an EIA has a specific purpose of focussing the assessment on issues of potential significance. This is set out in chapter 5 of SG Planning Advice Note 1/2013.
- EIA is an iterative process. As stated in chapter 4 of PAN 1/2013, the process of assessing a project's environmental impacts rarely proceeds in a linear fashion. Whilst information and/or the alteration of the design of a development may mitigate significant effects, statutory procedures of screening and scoping do not necessarily have to be repeated. Consequently the note appended to the Save Our Landscapes December 2013 report is not an accurate reflection of Historic Scotland's involvement in either the pre-application process, for the consideration of the issues raised by the proposed development for the historic environment, or the associated EIA process for this application.

3. The Policy Background

3.1. National Policies

3.1.1. Scottish Planning Policy refers directly to World Heritage Sites: World Heritage Sites are inscribed by UNESCO as cultural and/or natural heritage sites which are of outstanding universal value. Planning authorities should protect World Heritage Sites and their settings from inappropriate development, including relevant policies in the

development plan and setting out the factors that will be taken into account when deciding applications for development proposals which may impact on a world heritage site. The immediate setting of a World Heritage Site, important views, and other areas which are important to the site and its protection, should be protected from inappropriate development. The setting of a World Heritage Site is the area around it in which change or development may have an adverse impact on the World Heritage Site.

3.1.2. SPP also sets out the role of the Statement of Outstanding Universal Value: *A statement of outstanding universal value is adopted by UNESCO when a site is inscribed, which provides the basis for the effective protection and management of World Heritage Sites. World heritage site management plans should be prepared which summarise the significance of the site and set policies for the protection and enhancement of the site. Planning authorities should consider incorporating the management plan into the development plan as supplementary guidance.*

3.1.3. The other principal relevant policy in SPP is the Gardens and Designed Landscape Policy, which states that: *An Inventory of Gardens and Designed Landscapes of national importance is compiled by Historic Scotland. Planning authorities have a role in protecting, preserving and enhancing gardens and designed landscapes included in the current Inventory and gardens and designed landscapes of regional and local importance. Relevant policies should be included in local development plans. The effect of a proposed development on a garden or designed landscape should be a consideration in decisions on planning applications. Change should be managed to ensure that the significant elements justifying designation are protected or enhanced.*

3.1.4. Scottish Historic Environment Policy (SHEP) sets out Ministers' specific policies on the historic environment. SHEP Does not include specific guidance on World Heritage Sites, as this is included in SPP.

3.2. Local Policies are set out in South Lanarkshire's Planning Committee Report. The formal assessment of whether a proposal accords with Local Plan policies is for the local authority, not Historic Scotland.

4. Historic Scotland's Assessment of the Impact

4.1. Historic Scotland considered all of the potential impacts on the historic environment during its assessment of the proposal to extend the quarry at Hyndford. The full text of our consultation response of 22 January 2013 and subsequent correspondence is set out in the Annex below.

4.2. Listed Buildings

The ES predicted that there would be no significant detrimental impact on the setting of any category A listed buildings and we agree with that impact. No Listed buildings are directly affected by the proposal.

4.3. Scheduled Monuments

The ES predicted that there would be no significant impact on the setting of any scheduled monuments and we agree with that impact. No scheduled monuments are directly affected by the proposal.

4.4. Gardens and Designed Landscapes

Our detailed comments on the impacts on the Falls of Clyde Designed Landscape are set out in the letter below (see annex). In summary, we agreed that there would be a significant detrimental impact on the Falls of Clyde Designed Landscape.

4.4.1. Because we agreed with the ES that the proposal would have a significant detrimental impact on the GDL, we sought to achieve amendments to that scheme to mitigate or reduce the impact. Through further discussion, the scale of the area of proposed quarrying within the designed landscape has been reduced over the course of the application. These amendments have resulted in the retention of the historic access drive and an area of ground around it, and involve a reduction in the scale of the quarrying within the designed landscape.

4.5. No other designated heritage assets are affected by the proposal. Some correspondence has referred to the site of Boathough, which is not a designated site, does not fall within the Buffer Zone of the WHS, and is not therefore something where HS has any role in commenting on.

4.6. New Lanark World Heritage Site

4.6.1. Outstanding Universal Value

4.6.1.1. The OUV is set out in the New Lanark WHS Management Plan. New Lanark's OUV is considered to meet three of the UNESCO Criteria.

4.6.1.1.1. Criterion (ii): to exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design;

4.6.1.1.2. Criterion (iv): to be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history; and

4.6.1.1.3. Criterion (vi): to be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance.

4.6.1.2. The Statement of OUV (SOUV) for New Lanark was agreed and formally adopted by UNESCO in 2013.

4.6.1.3. Having considered the detail of the proposal against the SOUV as set out above, we believe it is difficult to demonstrate a significant impact on those particular aspects of the significance of New Lanark that are deemed to be Universal.

4.6.1.3.1. The SOUV assessment against Criterion ii states that 'When Richard Arkwright's new factory system for textile production was brought to New Lanark the need to provide housing and other facilities for the workers and managers was recognised. It was there that David Dale and Robert Owen created a model for industrial communities that was to spread across the world in the 19th and 20th centuries.' In our view, this relates specifically to the interest of New Lanark as a company village. Although the criterion mentions achievements in Landscape design, this is not what is considered universally significant at New Lanark. In our assessment of the impact of the proposed quarrying, we did not find that the proposed quarrying had a significant impact on the understanding or appreciation of the 'Model for Industrial Communities' that was created at New Lanark. We considered that the fact that the quarrying was some distance from New Lanark itself and that there was no impact on any key views reduced the potential for any impact. We recognised that the Falls of Clyde, as a pre-existing tourist attraction, contributed to the promulgation of the ideas at New Lanark, but did not find that the proximity of the proposed quarrying to the Falls of Clyde in itself would impact on that significance.

4.6.1.3.2. The SOUV assessment against Criterion iv states that: *New Lanark saw the construction not only of well-designed and equipped workers' housing but also public buildings and landscaped areas designed to provide for their educational and recreational needs, as well as their physical health and well-being.* In assessing the impact of the proposed quarrying on this universal significance, we considered that this significance related specifically to the village itself, the relationship of the buildings to each other and the open spaces, and that a proposal such as a quarry could only impact on this value if there was a significant visual impact.

4.6.1.3.3. The SOUV assessment against Criterion iv states that *'The name of New Lanark is synonymous with that of Robert Owen. His social philosophy in matters such as progressive education, factory reform, humane working practices, international cooperation, and garden cities, was to have a profound influence on social developments throughout the 19th century and beyond.'* While we recognise that the Falls of

Clyde, by virtue of its popularity as a tourist attraction, made a significant contribution to the promulgation of Owen's ideas, we do not find that the quarrying, simply by virtue of being in the same designed landscape, would have a significant impact on this value.

4.6.2. Authenticity: The statement of authenticity forms part of the SOUV as agreed by UNESCO and reads: *The level of authenticity at New Lanark is high. The process of conservation and rehabilitation has now been in progress for almost half a century, and major projects continue to the present day. The village has remained little changed from its heyday of cotton production in the early nineteenth century. Where elements are missing or have been replaced, the site is clearly interpreted to reflect this. Where rebuilding or reconstruction have been necessary, this has been carried out to the best conservation standards, based on full historic records. Repair and restoration has been undertaken using appropriate traditional materials and workmanship, following original designs wherever possible, and always respecting existing historic fabric. The original weir, lade and waterways which provided water-power to the mills from the 1780s are still in use today.* Bearing in mind that we are not considering any impact on the authenticity of the Falls of Clyde Designed Landscape or the Buffer Zone, we cannot find that there would be significant impact on the authenticity of New Lanark.

4.6.3. Integrity: The statement of integrity forms part of the SOUV as agreed by UNESCO and reads: *The appearance of the buildings of the village is now close to that of the early nineteenth century, during Owen's management, based on the physical evidence, archaeology, graphic and written archive material available. In restoring the village to its historic state some later 20th century structures have been removed, so focusing on those elements that contributed to the site's OUV.* We find no impact on the integrity of New Lanark as set out in this statement as recognised by UNESCO.

4.6.4. Protection and Management

4.6.4.1. The SOUV also sets out the Protection and Management of the WHS. This part of the document brings up to date the information provided in the Nomination Document on the planning mechanism in place to protect the OUV of the WHS.

4.6.5. The relationship between setting and the Buffer Zone: As set out in our letter to South Lanarkshire Council of 22 January 2013 UNESCO guidelines for the implementation of the World Heritage Convention, most recently updated in 2012, set out the purpose of a buffer zone. This defines a buffer zone as

'An area surrounding the nominated property which has complementary legal and/or customary restrictions placed on its use and development to give an added layer of protection to the property. This should include the

immediate setting of the nominated property, important views and other areas or attributes that are functionally important as a support to the property and its protection.'

4.6.6. The important thing to note is the emphasis on the buffer zone in protecting the World Heritage Site, rather than emphasising the intrinsic value of the areas within the buffer zone, which in the case of New Lanark are protected through separate designations.

4.7. Impact on the setting of New Lanark

4.7.1. Visual Impact. The ES predicts that there would be no visual impact on the W H S itself as a result of the proposals. It is difficult to disagree with this assessment, although third parties have argued that there is a potential visibility of the site from Bankhead. However, this cannot be considered to be a key view within the WHS.

4.7.2. Historic Scotland's 'Managing Change in the Historic Environment' guidance on setting sets out a number of issues that should be taken into account in considering the impact on setting. The broad interpretation of setting is set out at 2.1 of the guidance as '*...the way in which the surroundings of a historic asset or place contribute to how it is experienced, understood and appreciated.*' Our view is that it would have been helpful for the ES to consider the setting of New Lanark in closer detail using the guidance set out in 'Managing Change'. At 4.13 the guidance states that '*an understanding of the impact of a proposed change on setting should not be confined to whether key views to and from the historic asset or place are interrupted, but should also assess whether the proposed change would dominate or detract in a way that affects our ability to understand and appreciate the historic asset*'.

4.7.3. However, having considered the impacts ourselves, we could not identify any objectionable impact on the setting of the WHS or its constituent parts.

5. Historic Scotland's Handling of the Case

5.1. Although we do not consider that this is an issue for UNESCO to consider, it is worth pointing out that Save Our Landscapes and others have criticised Historic Scotland's handling of the case, and are of the view that our premature role in pre-application discussions prejudiced our assessment of the impacts.

5.2. We have reviewed our handling of the case and we are satisfied that all of our involvement has followed established practice. We reject the suggestion that the early view expressed by our officers has meant that we have not assessed the application correctly.

5.3. The Scottish planning system allows for different views to be expressed and taken into account in the consideration of applications. South Lanarkshire

Council's handling of the case has recognised the views taken by objectors, and has taken those views into account in the decision-making process.

- 5.4. In this case, SOL and others have concluded that the impact on the OUV would be more detrimental than the impact predicted by HS. These views are legitimate and it is absolutely normal for different organisations to assess impacts differently. The role of the planning process is to weigh up those divergent views, which is what has happened here.

6. The role of the Nomination Document in the Planning process

- 6.1. Historic Scotland's role within the Scottish planning system as set out above is separate to the Scottish Government's role in promoting World Heritage nominations.
- 6.2. While we must of course take account of the Nomination Document in our assessment of any impacts of the OUV, we must also consider each proposal on its own merit. There is no process by which a developer can be prevented from developing a proposal or making an application for planning permission, and if a proposal is made, South Lanarkshire Council (and Historic Scotland as consultee as necessary) must assess that proposal and comment as necessary.
- 6.3. We acknowledge that the wording in the nomination document, which refers to the draft local plan policy at the time, may be taken as an assurance that quarrying would not take place within the buffer zone. However, this needs to be understood fully in the context of the Scottish planning system. In that context, it was not possible to make any assurances about future development proposals or assessments of those proposals – other parts of the nomination document set the process out in detail. Since 2000, there have been further iterations of the local plan, and the specific policies as described in the document do not, in any case, now apply. The current New Lanark Management Plan deals in more detail with the current local plan policies, but the formal assessment of whether a proposal accords with Local Plan policies is for the local authority, not Historic Scotland.
- 6.4. The position which Historic Scotland has adopted on this proposal is not, in our view, at odds with the attention paid to the landscape setting of New Lanark in the nomination document. We remain of the view that the landscape setting of New Lanark is an essential part of its significance and key to its appreciation. Further, we agree that the boundaries of the Buffer Zone reasonably delineate the area in which development could have the potential to impact on the OUV. However, different parts of the Buffer Zone are more sensitive to different types of development and as stated before our view is quarrying in this area does not significantly impact on the setting.
- 6.5. We did not refer specifically to the nomination document in our advice to South Lanarkshire Council. That document is the basis for our current understanding of New Lanark and the significance of its component parts, and while this is an important reference, we did not consider it necessary to

refer directly to it in our response to the planning application. The normal approach to responding to a planning application is simply to set out our views on a proposal, and does not involve a detailed, referenced account of all of the issues, or any documents consulted in coming to that view.

- 6.6. The key issue as raised by third parties has been the perception that HS/SG made specific assurances that there would be no quarrying in the buffer zone. The wording in the nomination document suggests that the draft local policy at the time prevents quarrying in the buffer zone. Neither local plan policies, nor the nomination document can prevent an applicant coming forward with proposals, and they do not excuse Historic Scotland and others from the need to carry out an assessment of those proposals based on the individual circumstances of the case.

7. Historic Scotland's response to issues raised by 3rd Parties

- 7.1. Save Our Landscapes is a local body (NGO) objecting to the application.

- 7.1.1. Save our Landscapes have produced a number of documents objecting to the development and criticising Historic Scotland's role in the application.

- 7.1.1.1. Their report of December 2013 'The Threat to the New Lanark World Heritage Site: Evidence in Support of a call-in. This report sets out to examine whether there would be an adverse impact on New Lanark's OUV.

- 7.1.1.2. *The Threat to the New Lanark World Heritage Site: Why Unesco should act (November 2013).*

- 7.1.1.3. *Objection to the proposed extension of Hyndford Quarry to the Buffer Zone of New Lanark World Heritage Site and Falls of Clyde Designed Landscape* is their document of January 2013 in response to the planning application.

- 7.1.1.4. *The Proposed extension of Hyndford Quarry to the Buffer Zone of the New Lanark World Heritage Site and Falls of Clyde Designed Landscape (October 2012)*

- 7.1.1. These documents set out the importance of the setting of New Lanark, and the Falls of Clyde within that setting. Historic Scotland agrees that the setting of New Lanark is essential to its understanding and appreciation, that the Clyde and the Falls of Clyde make a central contribution to that setting, and that the importance of the Falls of Clyde as a pre-existing and ongoing tourist attraction should not be understated. However, as above, we do not agree that this should be taken to mean that development within the Bonnington Parkland would be detrimental to the OUV. While we do not dispute the important role that the Falls of Clyde played in the history of the appreciation of landscape, and the relationship between early visitors to New Lanark and

the Falls of Clyde and the promulgation of Owen's ideas, we do not agree that the impact on that relationship would be as set out by SOL.

7.1.2. We disagree with the view taken that there would be a significant impact on the setting of New Lanark and consider that the conclusion that an impact on the Buffer Zone equates to an impact on the setting and by extension a reduction of the integrity of the WHS is oversimplifying the issue.

7.1.3. The issue of perceived commitments made to UNESCO at the time of nomination is dealt with at 6. above.

7.1.4. The documents also set out to criticise the role of Historic Scotland and our handling of the application. It is open to anyone to take a view on the opinions expressed by Historic Scotland and we understand that SOL fundamentally disagrees with our assessments of the impacts. The report makes an assumption that Historic Scotland has not assessed the impacts properly and suggests that we did not object to the application because we were bound by our initial assessment. This is not the case. Historic Scotland did not object because we found no significant detrimental impact. It is correct that our views on the impact have not changed since our initial engagement, but that is because formal assessment and full analysis of the application has borne out our initial view.

7.2. ICOMOS UK has expressed concern about the impact of the proposals and Historic Scotland's assessment of the proposals. These concerns are set out in a letter of 3 July 2013 copied to ICOMOS. The issues raised in this letter are similar to those raised by SOL in their various reports and are referred to above.

7.3. ICOMOS International: We note the points raised by ICOMOS, and their views on the impacts of the proposals. It is not clear to us that ICOMOS have carried out an independent assessment of the issues before coming to a view on the impact.

7.3.1. ICOMOS considers that 'the extension of Hyndford Quarry into the Buffer Zone of New Lanark would fundamentally re-shape the Falls of Clyde Designed Landscape'.

7.3.2. We agree that there would be a fundamental re-shaping of part of the designed landscape, but consider that 'Fundamentally re-shaping the falls of Clyde designed landscape' is an overstatement, given the extent of the proposal in relation to the extent of the overall designed landscape, which is made up of four individual Designed Landscapes – Braxfield, Corehouse, Bonnington and Castlebank. However, it should be noted that Historic Scotland agreed that there would be a 'Major, Significant' impact on the Designed Landscape and sought to mitigate that impact.

7.3.3. We disagree with the view taken that there would be a significant impact on the setting of New Lanark and consider that the conclusion that an impact on the Buffer Zone equates to an impact on the setting and by extension a reduction of the integrity of the WHS is oversimplifying the issue.

7.3.4. We do not agree that the proposal would have a highly detrimental impact on the setting of New Lanark or its OUV. We concur with what ICOMOS say about the landscape setting of New Lanark. Historic Scotland is committed to the protection of the setting of New Lanark through careful consideration of proposals through the Scottish Planning system. In responding to proposals, we must consider all of the impacts carefully and cannot object to a proposal simply because of its location.

7.3.5. We disagree with the comments by ICOMOS that allowing this project would not be in line with the planning mechanisms that protect New Lanark. All of the systems in place have worked to ensure that the impacts on the OUV are carefully considered. We do not accept that the references in the Nomination Document to planning policies in place at the time of nomination equate to assurances that no quarrying would take place and would reiterate that applications for development need to be considered on their own merits in the context in which they are made.

7.3.6. We agree with ICOMOS that the impact on the OUV should be taken into account in the decision on the application. South Lanarkshire Council dealt with the issue in detail in their decision-making.

PROPOSED HOUSING AT THE PLEASANCE, KIRKFIELD BANK

1. As set out above, the local authority (South Lanarkshire Council) was required to consult Scottish Ministers (Historic Scotland) because the application affected the Falls of Clyde Inventory Designed Landscape. Historic Scotland considered the application and objected because of the potential impact on the OUV.
2. South Lanarkshire Council were minded to grant consent for the application, and because the objection lodged by Historic Scotland was specifically on the grounds of the potential impact on the OUV, and was not on the grounds of any other historic environment impacts, there was no requirement for South Lanarkshire Council to notify Scottish Ministers of their intention to grant consent.
3. Although our preference was for the application to be refused, it is important to note that this was an application for planning permission in principle, and we will be involved in further discussions at detailed application stage, to ensure that the impact on the OUV is minimised through layout and design.
4. Although there was no requirement for South Lanarkshire Council to notify Ministers of their intention to grant consent, there was an opportunity for Ministers to issue a notification direction or to 'call-in' the application at any stage of the process. However, in the circumstances it was not considered proportionate to recommend this course of action.

Links

Link to South Lanarkshire Council Application [CL/12/0525](#)

Scottish Planning Policy [Link](#)

Scottish Historic Environment Policy (2011) [Link](#)

Link to Operational guidelines for the implementation of the World Heritage Convention <http://whc.unesco.org/archive/opguide12-en.pdf>

Link to Management Plan for New Lanark

<http://www.historic-scotland.gov.uk/newlanarkmanagementplan.pdf>

Annexes

HS Letter of 22 January 2013 and subsequent Letters

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Our ref: AMN/16/SR
Our Case ID: 201205694 &
201205696
Your ref: CL/12/0525

22 January 2013

Dear Mr Wilkins

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2011 Extension to Mineral Extraction operations and associated restoration and enhancement works at Hyndford Quarry South Lanarkshire

Thank you for your letter of 29 November 2012 and the accompanying Environmental Statement (ES). This letter contains our comments on both the ES and the application itself under the terms of the Development Management Procedure Regulations for our historic environment interests.

Our comments here concentrate on our statutory remit for scheduled monuments and their setting, category A listed buildings and their setting, gardens and designed landscapes and battlefields appearing in their respective Inventories.

We recommend that you seek further advice from your Council's archaeology and conservation advisory service. They will be able to advise on the adequacy of the assessment for the historic environment and of the likely impacts and mitigation

proposed for matters including unscheduled archaeology and category B and C listed buildings.

Historic Scotland's position

Historic Scotland does not object to the planning application.

Historic Scotland's advice

Our detailed comments on the historic environment aspects of the proposal are set out in the attached annex. We note that the proposed development will have a direct impact on the Falls of Clyde Designed Landscape and that there will be some setting impacts on a number of other heritage assets and we have provided some advice on how those impacts could be mitigated. That said we consider that it will not affect the historic environment aspects within our locus to such a degree as to warrant an objection from Historic Scotland.

Yours sincerely

Dara Parsons

Heritage Management Team Leader

Cc Scottish Government Planning Division

Annex

The following sets out Historic Scotland's views on the Environmental Statement, and our views on the principle of what is proposed.

Historic Scotland's Interest

Historic Scotland's role in commenting on this application relates to those heritage assets where we are specifically involved. This includes Gardens and Designed Landscapes, Category A listed buildings and their settings and Scheduled Monuments and their settings. There is no statutory requirement to consult Historic Scotland on applications within the World Heritage Site or the Buffer Zone, but current practise is to carry out consultation on development within those areas.

The Environmental Statement

Assessment criteria and application of the assessment criteria

The ES Cultural Heritage Chapter is detailed, reasonably clear and easy to follow. The baseline gives a good account of all the information that informs the assessment, including all the features we consider are relevant to the development in terms of our locus and that we requested be considered at scoping stage.

Section 16 sets out the assessment and conclusions for the impacts on the historic environment, in particular for impacts to the New Lanark World Heritage Site (WHS) buffer zone and the Falls Of Clyde Garden and Designed Landscape. The assessment criteria used are clear and understandable and have been applied in a consistent manner to those heritage assets identified in the baseline information. Criteria for assessing significance are also in keeping with (section 16.46-16.51) national policy and guidelines for the historic environment.

The ES Landscape and Visual Assessment Chapter section 14 also provides more additional information. The visualisations provided do give us some indication of views across and from those key sites, although some are not specifically taken from key sites. For instance it would have been beneficial to have had visualisations for key views from Corehouse which is the heritage asset which falls within our remit which is identified within the ES on which there is potential for indirect impacts of moderate significance.

Summary of Assessment of effects for the Historic Environment reached by the ES

Direct Impacts

We note that the ES Cultural Heritage chapter concludes that the western extension of the quarry into the Bonnington Estate will result in a potential direct impact of moderate magnitude on The Falls of Clyde Designed Landscape, leading to an impact of major significance.

The proposed western extension of the Hyndford Quarry into the Bonnington Estate will have a direct impact on the **Falls of Clyde designed landscape**, which is included in the Inventory of Gardens and Designed Landscapes in recognition of its national significance.

Bonnington forms one part of the Falls of Clyde designed landscape, which comprises four distinct but conjoined historic estates extending along both banks of the River Clyde around New Lanark: It incorporates the estates of Bonnington, Corehouse, Braxfield and Castlebank Park. The proposed development site is located on the SE edge of the Falls of Clyde designed landscape, in an area on the eastern edge of the Bonnington designed landscape. The proposed extraction site is composed of an area of former parkland, bounded to the north by the entrance drive to the Bonnington Estate and to the east by a substantial boundary wall, which also marks the eastern boundary of the Falls of Clyde Inventory site.

The Bonnington Estate had a major influence on the picturesque tourist industry from the early 18th century, the focus being the walks along the banks overlooking the series of dramatic waterfalls on this section of the River Clyde. The Bonnington or Corra Linn Pavilion (listed Category A) was built in 1708 overlooking the waterfall of the same name. It was designed as a spectacular viewhouse from which to observe the waterfall below and its interior was originally lined with mirrors, which reflected the falls and amplified the sound, heightening the experience. It is one of the earliest buildings in Scotland designed for the appreciation of natural and picturesque scenery. Throughout the 18th and 19th century drives, paths, viewpoints and other

incidents were constructed in the surrounding estate landscape to further enhance the picturesque experience.

To the east, beyond the dramatic, deeply incised river gorge, which forms the focus of the designed landscape, the landscape character changes and the natural topography of the area is undulating, the result of fluvio-glacial deposits of sands and gravels. This is the site of Bonnington House and its landscaped park, policy woodlands and walled garden. Although the landscape park at Bonnington was originally designed to contrast with the romantic picturesque scenery of the gorge, much of the character of this part of the Bonnington estate has been lost: The house was destroyed in a fire in 1916 and was demolished in the 1950s, the landscaped park retains a scattering of aging specimen trees and the walled garden is derelict, as is the Corra Linn Pavilion.

The area proposed for the quarry extension is located to the SE of the site of the house and has lost much of its designed landscape character. It was previously composed of the outer parks of the estate, which were bounded by two areas of woodland, as shown on the 19th century Ordnance Survey maps. One circular plantation was set on top of a small hill (shown on Roy's survey map (c.1750) with radiating rides), and the second area of woodland was a perimeter wood set against the estate boundary wall to the east. According to the Inventory, these woods were predominately beech and were clear felled at some point in the 20th century. Comparison between aerial photographs of 1946 and 1988 shows that there has been very heavy tree loss. Today, all that remains in this area are three parkland trees set in an undulating agricultural landscape.

We agree with the conclusion in the ES that this proposed development will have a major significant impact on the Falls of Clyde Inventory designed landscape. The quarrying of this area of the Bonnington Estate will result in the loss of the landform on which this part of the designed landscape was originally laid out as well as the boundary wall and a few mature parkland trees. However, given the extensive loss of the woods and parks that historically characterised this part of the designed landscape, we do not believe the impact will be significant enough to warrant an objection.

Given the topography and orientation of the Bonnington Estate, the main views are mostly inward-looking towards and across the falls and the river. The quarry may be visible from short sections of the wooded picturesque walks along the Clyde, but given the wooded nature of the valley and the focus of the view towards Corra Linn and the river, it would not have a significant impact on the understanding, appreciation and enjoyment of the picturesque qualities of the Bonnington designed landscape. The impact is therefore not significant enough to warrant an objection. A suggestion for potential mitigation is suggested below.

Restoration proposals

We understand that once the sand and gravel has been extracted, the landscape will undergo a programme of restoration. We acknowledge that this will not be a wholesale 'restoration' of the Bonnington landform and its historic designed landscape, but the creation of a new landscape, which will reflect elements of the historic landscape.

We welcome proposals to reinstate built elements which will be removed during the extraction process as well as elements of the designed landscape which were lost during the 20th century. This includes the rebuilding, on its original alignment, of the 18th century estate wall that marks the eastern boundary of the designed landscape, together with its associated drove road that linked Lanark with the historic ferry crossing at Tulliford to the south. We also note that the reinstated landscape will be slightly undulating to reflect the fluvio-glacial character of the landform. Planting proposals include the replanting of the circular wood and parkland trees with appropriate species.

We note that the Bonnington walled garden and the Corra Linn Bonnington Pavilion are outwith the application boundary. However, works to conserve and repair these important but neglected elements of the Bonnington designed landscape would greatly increase the value of any long-term restoration proposals for the landscape. Improvement to the immediate setting between the pavilion and Bonnington Power Station would also be welcomed.

Indirect impacts

We note that the ES Cultural Heritage chapter concludes that the western extension of the quarry into the Bonnington Estate will result in the following:

- Potential indirect impact of Major significance on the setting of The Falls of Clyde Designed Landscape.
- Potential indirect impact of Moderate significance on the setting of Category A listed Corehouse.
- Potential indirect impacts of Minor significance on the setting of scheduled monuments (SM) SM Hyndford Crannog, SM Corra Castle (A listed), SM Blackhouse burn, enclosures, SM Camp Wood, Roman Camp, N of Cleghorn Station, SM Castledykes Roman Fort, Corbiehall, SM Castledykes Roman camps to W, N and E of Roman fort.
- Potential indirect impacts of No significance on the setting of the New Lanark WHS, SM St Kentigerns Church Lanark, SM Castle Qua WSW of Mouse Bridge, SM Castle Hill, site of Lanark Castle, A listed Corra Linn Pavilion, A listed 21-22 Double Row Rosedale St New Lanark (no.11 only is a scheduled monument).

We note that the summary of the predicted impacts in the Non Technical Summary (pg 17 Key Human and Environmental Aspects, Recreation and Cultural Heritage column) does not reference the conclusions of the assessment set out in the Cultural Heritage chapter of the ES. It summarises that the findings of the assessment are predicted to adversely impact on the 'sensory appeal of the area'. The summary would have benefitted from cross referencing of the key assessment findings in the Cultural Heritage chapter which predicts the potential for major significant adverse direct and indirect impacts for The Falls of Clyde Garden and Designed Landscape and moderate significant impact on the setting of A listed Corehouse. This would have provided a more balanced summary of conclusions drawn from the assessment.

New Lanark World Heritage Site

The history, development and significance of New Lanark World Heritage Site has been set out in a number of publications, including a brief summary at 16.78 in the ES and does not need to be repeated here.

Summary

The ES concludes that although the proposal extends across the eastern edge of the buffer zone, there will be no inter-visibility between the extension into the eastern part of the buffer zone area and the WHS itself. It sets out the definition of the buffer zone in relation to the Outstanding Universal Value (OUV) of the WHS, and considers that the OUV is not compromised by the proposal. The assessment predicts no impact to the WHS or its setting due to the topography and wooded nature of the WHS which prevents inter-visibility between the WHS and the proposed development. While we may suggest that there could be a minor impact due to views of the Bonnington Parkland from specific parts of the WHS, we do not consider this would be significant enough to raise concerns.

The proposed development is within the Buffer Zone of the New Lanark World Heritage Site (WHS), which ensures that any proposed development in the area is considered in terms of the potential impact on the Outstanding Universal Value (OUV) of the World Heritage Site. This is the key issue in our assessment of the impact on the WHS.

The New Lanark World Heritage Site and its Buffer Zone

The potential impact on the setting of New Lanark Village and World Heritage Site, the potential impact on the Outstanding Universal Value of the World Heritage Site and the impact on the buffer zone are all inter-related, but dealt with separately here. We have also considered the impact on the setting of individually designated heritage assets below.

The Setting of New Lanark World Heritage Site

This issue is considered in the ES at 16.106 and elsewhere, where the setting of individual assets within the WHS is dealt with. The headline in the assessment is that there is no inter-visibility between the western extension area of the quarry and the WHS itself. While this is clearly not the only issue that needs to be taken into account, it is a key issue and in terms of the setting must be given most weight.

The evidence suggests that there is no inter-visibility with the core of the World Heritage Site. There may be some views of the margins of the WHS from the general area of the development, but we do not consider that this is of sufficient significance such that we should object.

Historic Scotland's 'Managing Change in the Historic Environment' guidance on setting sets out a number of issues that should be taken into account in considering the impact on setting. The broad interpretation of setting is set out at 2.1 of the guidance as *'...the way in which the surroundings of a historic asset or place contribute to how it is experienced, understood and appreciated.'* Our view is that it would have been helpful for the ES to consider the setting of New Lanark in closer detail and using the guidance set out in 'Managing Change', would have been helpful. At 4.13 the guidance states that *'an understanding of the impact of a proposed change on setting should not be confined to whether key views to and from*

the historic asset or place are interrupted, but should also assess whether the proposed change would dominate or detract in a way that affects our ability to understand and appreciate the historic asset’.

However, having considered this issue ourselves through a detailed site visit, and in conjunction with the assessment of the impact on the Falls of Clyde designed landscape, our view is that the proposed quarry extension would not significantly change our ability to understand, experience or appreciate the New Lanark World Heritage Site. Our comments above deal with the impact on the Designed Landscape and while we consider that the proposal may have some impact on our ability to appreciate, for example, the relationship between the surrounding landscape and the approach to the Corra Linn Bonnington Pavilion, the degree of change is not such that we would wish to raise an objection.

The Buffer zone and its role

Buffer zones are considered by UNESCO to represent zones that are not in themselves of outstanding value, but that may influence a World Heritage Site. A key function of the buffer zone is to protect the setting of the World Heritage Site by ensuring that the potential impact on the Outstanding Universal Value is considered in the assessment of any development proposals in the area.

UNESCO guidelines for the implementation of the World Heritage Convention, most recently updated in 2012, set out the purpose of a buffer zone. This defines a buffer zone as

‘An area surrounding the nominate property which has complementary legal and/or customary restrictions placed on its use and development to give an added layer of protection to the property. This should include the immediate setting of the nominated property, important views and other areas or attributes that are functionally important as a support to the property and its protection..’

The important thing to note is the emphasis on the buffer zone in protecting the World Heritage Site, rather than emphasising the intrinsic value of the areas within the buffer zone, which in the case of New Lanark are protected through separate designations.

Having established or agreed the degree of the potential impact, our role is to consider whether the impact is such that it would warrant an objection to the application from Historic Scotland. In this case, we cannot conclude that the impact in question is such that it would threaten the integrity of the World Heritage Site, or that it would be likely to have an impact on the function of the WHS. The impact on the OUV of the WHS is considered below.

The Outstanding Universal Value of the World Heritage Site.

The Outstanding Universal Value (OUV) is set out clearly in the documentation and is summarised as:

Criterion (ii) 'To exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design'.

When Richard Arkwright's new factory system for textile production was brought to New Lanark the need to provide housing and other facilities for the workers and managers was recognised it was there that David Dale and Robert Owen created a model for industrial communities that was to spread across the work in the 19th and 20th centuries.

Criterion (iv) 'to be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history'.

New Lanark saw the construction of not only well designed and equipped workers' housing but also public buildings and landscaped areas designed to improve their spiritual needs as well as their physical needs.

Criterion (vi) 'to be directly or tangibly associated with events or living traditions with ideas, or with beliefs, with artistic and literary works of outstanding universal significance.

The name of New Lanark is synonymous with that of Robert Owen and his social philosophy in matters such as progressive education, factory reform, humane working practices, international cooperation, and garden cities, was to have a profound influence on social developments throughout the 19th century and beyond.

Having considered these, we cannot conclude that there would be a significant impact on the value, authenticity, or integrity, such that we would object to the planning application. While all of the surrounding landscape and such important sights as the Falls of Clyde undoubtedly contribute to the setting of New Lanark and combine to create an important ensemble, the reasons for the inscription of New Lanark are tight and specific and it is difficult to argue any impact in these terms.

The Impact on New Lanark World Heritage Site: Summary.

In summary, we find the conclusions of the environmental statement in terms of the impact on the New Lanark World Heritage Site and the buffer zone to be reasonable and we agree with the assessment of the likely impact. We consider that there is likely to be a significant direct impact on the buffer zone, but that direct impact on the buffer zone could not in itself justify an objection from Historic Scotland unless that impact resulted in a significant impact on the setting of the World Heritage Site and/or its OUV.

Impact on A listed Buildings

The proposed extension of the Hyndford Quarry will have no direct impacts on any A listed buildings and we agree with the conclusions of the environmental statement in this respect. However not all A listed buildings within the immediate vicinity of the quarry have been fully assessed as part of the ES.

Falls of Clyde Bonnington Power Station Weir and Bridge: This has not been included in the assessment. As it lies in the valley it will not have any inter-visibility with the proposed development.

Falls of Clyde Bonnington Power Station with Tank and Pipes: This is mentioned in the ES for its impact on the setting of Corra Linn Bonnington Pavilion but is not assessed in its own right. The setting of the power station is localised and focuses on the linkage between the turbine house, the pipes, the vent shafts and the circular vent tank, and their relationship to the river Clyde. The vent tank and the vent shafts rise above the level of the incised gorge and will therefore have some inter-visibility with the proposed quarry extension. However we consider that the likely impact is minor and is insufficient for us to raise an objection in this case.

The ES suggests that the presence of Bonnington Power Station has a negative impact on the setting of Corra Linn Bonnington Pavilion. This is mainly caused by the presence of modern poorly designed fencing. The repair and conservation of the pavilion has been suggested as possible mitigation for the impacts of the proposed quarry. If this is progressed consideration should be given to improvement of the setting between the two buildings.

Corra Linn Bonnington Pavilion was designed as a viewpoint and its focus is therefore towards the Falls of Clyde. However, it was linked to Bonnington House by a tree lined avenue the line of which is still clearly defined within the landscape. It is likely that this part of the setting of Corra Linn Pavilion will be impacted on by the proposed development. However we consider that this will be of minor significance.

The ES assesses the likely impact on Corehouse as being of possible moderate impact and it would have been helpful to have included visualisations from this site. Corehouse is of major importance as a visual focus around which much of the historic landscape was designed. The views towards the parkland of the Bonnington Estate is therefore an important aspect of its setting. We concur with the assessment that the main setting of the house is dominated by surrounding woodland and agree that because of the relationship with the more distant views of Bonnington that the assessment within the ES is correct. Although the extension of the quarry will have potentially moderate impact on the setting of Corehouse we do not consider that this in itself is sufficient to raise an objection from Historic Scotland.

New Lanark contains a substantial number of A listed buildings which have not been assessed individually within the ES. However given their location within a restricted area within the steep heavily wooded gorge their setting is both localised and restricted to key views out of the valley. Owing to the nature of the topography there will be no inter-visibility with the quarry, and we therefore accept the conclusions of the ES.

Impact on Scheduled Ancient Monuments

The assessment of the likely impacts on the scheduled monuments is thorough and we agree with the findings of the ES.

Historic Scotland's Advice

Although we do not object to this development, we consider that there will be a detrimental impact on the historic environment and would therefore like to offer the following advice, which may slightly reduce the direct impact of this proposed development on the Bonnington designed landscape:

The entrance drive to the Bonnington Estate (which also serves as an access road to Bonnington Power Station) is currently proposed as the northern boundary of the extraction area. We would recommend moving the extraction boundary a short distance to the south. This would allow for the retention of the historic entrance drive to the estate and some of its 'green edge' to the south.

Assessment of effects – Historic Scotland's conclusions

While we have raised some concerns about the assessment of some of the setting impacts, we find that overall the assessment is fair. The most significant impacts, for example the direct impact on the Falls of Clyde Designed Landscape, are dealt with fairly.

Historic Scotland's Position

Historic Scotland does not object to this application.

Historic Scotland
21/01/2013

Letter of 2 April 2013

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Our ref: AMN/16/SR/2 PART1
Our Case ID: 201205696
Your ref: CL/12/0525

2 April 2013

Dear Mr Wilkins

Proposed Hyndford Quarry Extension

I refer to your email of 26 February asking for clarification of Historic Scotland's views on the proposed Hyndford Quarry Extension and any comments on the objections offered by others.

In relation to the comments offered by ICOMOS UK, while it would not be appropriate to comment on their views on the significance of the impacts, we do not dispute the assertions about the significance of the landscape setting and the intellectual relationship between this and the World Heritage Site.

It is true that Historic Scotland had initially hoped that the boundary of the World Heritage Site could include the Falls of Clyde and more of the landscape around the village. However, this is not the view that was taken by UNESCO and we must now work within the existing designation in assessing impacts on the Outstanding Universal Value.

ICOMOS UK raise a further question about assurances made to UNESCO about quarrying in the buffer zone. The nomination document does refer directly to existing Local Development Plan policies at the time, but our view is that this does not avoid the need for a full assessment of the impacts of any specific proposals. Historic Scotland can only consider the impacts of a proposal, and could not object in principle on the basis of former or current Local Plan policies.

We note the comments made by the Garden History Society dated 23 January 2013. We have no further comments to add in response to those comments.

You have also asked for clarification of our comments on the impact on the designed landscape. Our consultation response advised that moving the proposed boundary of the extraction to the south would mitigate the impact on the Designed Landscape. We would suggest that following the line of the 180m contour line would allow for the retention of the historic entrance drive to the estate and some of its 'green edge' to the south. I attach a map showing the area in question with the contour lines.

I would be happy to discuss this further if that would be helpful.

Yours sincerely

Dara Parsons

Letter of 13 August 2013

Mr Donald Wilkins
Planning and Building Standards
South Lanarkshire Council
Montrose House
154 Montrose Crescent
HAMILTON
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Longmore House
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Dara.Parsons@scotland.gsi.gov.uk

Our ref: AMN/16/SR 2 PART 1
Our Case ID: 201301463
Your ref: CL/12/0525

13 August 2013

Dear Mr Wilkins

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
(SCOTLAND) REGULATIONS 2011
Hyndford Quarry Extension**

Thank you for your consultation dated 03 June which we received on 03 June.

We welcome the amendment of the extraction limit boundary, which is now proposed to follow the line of 182m AOD contour rather than the line of the entrance drive, as proposed in the original application. This will result in the retention of the historic entrance drive to the Bonnington estate and some of its 'green edge' to the south, including the prominent knoll and a single parkland tree.

However, we note from the submitted Concept Restoration drawing that a new tree-lined avenue is proposed to run parallel to the historic entrance drive, immediately to the south. It is not clear why a new avenue is necessary in this location and we would prefer to see the existing drive used. Furthermore, this proposed avenue is straight and does not appear to pay any regard to the undulating landform of the site, especially if the knoll to the south of the drive is to be retained.

We note the contents of the letters of 3 July from Save Our Landscapes and ICOMOS UK . We have nothing further to add in response to the issues raised in these letters.

If you require any further information, please contact me.

Yours sincerely

Dara Parsons

Heritage Management Team Leader,

Letter of 26 November 2013

Mr Donald Wilkins
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Our ref: AMN/16/SR/2
Our Case ID: 201304659
Your ref: CL/12/0525

26 November 2013

Dear Mr Wilkins

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
(SCOTLAND) REGULATIONS 2011
Hyndford Quarry Extension (Revised Drawings)**

Thank you for your consultation dated 01 November which we received on 01 November.

We have considered your consultation and comment as follows:

We note that the plans for the restored landscape have been amended in line with the comments we made in our letter dated 13 August 2013. The original Concept Restoration drawing (P2/1842/13 – July 2013) proposed a new tree-lined avenue to run parallel to the historic entrance drive at the north end of the site. We note that the revised Concept Restoration drawing (M09.110(1).001 – October 2013) shows that this element has been removed in accordance with our recommendations.

If you require any further information, please let me know.

Yours sincerely

Dara Parsons

Heritage Management Team Leader,



Department
for Culture
Media & Sport

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Kishore Rao
Director
World Heritage Centre
UNESCO
7 Place de Fontenoy
SP Paris
France

28 March 2014

Dear Krishore

STATE OF CONSERVATION OF NEW LANARK (UNITED KINGDOM) (429 Rev)

I refer to the World Heritage Centre's e-mail of 13 March 2014 advising that a state of conservation report for the World Heritage property of New Lanark will be presented to the World Heritage Committee at its forthcoming 38th session in Doha, Qatar, 15 to 25 June 2014.

As invited, I am pleased to now submit to the World Heritage Centre a State of Conservation Report, including additional information that our authorities consider relevant to be taken into account, using the indicative format, for examination by the World Heritage Committee.

1. Response from the State Party to the World Heritage Committee's Decision, paragraph by paragraph

[Note: this information has to refer to developments over the past year or since the last decision of the Committee for this property]

There have been no previous decisions by the World Heritage Committee regarding the property.

2. Other current conservation issues identified by the State Party

[Note: conservation issues which are not mentioned in the Decision of the World Heritage Committee or any information request from the World Heritage Centre]

General



The most far-reaching document as far as the conservation of New Lanark is concerned is *A Future for New Lanark: a Report to the New Lanark Working Party by the Feasibility Study Team*, published by the County Council of the County of Lanark, (March 1973). It set out the significance of the village and the problems it then faced, and came up with three stark options:

1. Demolish all the housing except the already restored Caithness Row, Nursery Buildings, Dale and Owen's Houses
2. Demolish all except the above and New Buildings (then the only one that was listed category A)
3. *"The complete revivification of the village is the most expensive solution but would achieve the maximum income from houses as well as visitors and may provide more economic maintenance in the long term."*

The study team accepted option 3 as the most desirable objective. From this visionary step the New Lanark Conservation and Civic Trust was created, and the revival of the village got underway. Most of the buildings in New Lanark have now been restored and the village has become a major tourist attraction.

Management of New Lanark today is the responsibility of its three main partners; South Lanarkshire Council, Historic Scotland and the New Lanark Trust. The New Lanark Management Plan 2013-18 was launched on 18 April 2013 and is strategically overseen by the management partners, who also have responsibility for its implementation as the framework for long-term detailed decision making on the conservation and enhancement of the World Heritage Site and the maintenance of its OUV.

The periodic reporting for this property in 2013 concluded that (section 5.3):

- The authenticity of the World Heritage property has been **preserved**
- The integrity of the World Heritage property is **intact**
- The World Heritage property's Outstanding Universal Value has been **maintained**
- Other important cultural and/or natural values and the state of conservation of the World Heritage property are **predominantly intact**

Hyndford Quarry proposed extension

On 22 January, we provided the World Heritage Centre with detailed comments from Historic Scotland, the executive agency of the Scottish Government, that is charged with safeguarding the nation's historic environment on behalf of Scottish Ministers. For ease of reference, the summarising paragraphs of that document are repeated here:

"Historic Scotland considered the issues at Hyndford Quarry very carefully before deciding not to raise a formal objection to the proposals. This conclusion was based on the accepted international principle that the Buffer Zone of a World Heritage Site (WHS) does not preclude development in that area, but seeks to ensure that all proposed development within that area is considered carefully in terms of its likely impact on the Outstanding Universal Value (OUV), authenticity and integrity of the World Heritage Site itself. It is important to note that a Buffer Zone has no prescribed heritage value in itself

and is designated only as an area in which any proposed development should be assessed in terms of its potential to affect the OUV of the WHS.

"Having considered the proposals for Hyndford Quarry in the context of the above, we concluded that the likely impact on the OUV, authenticity and integrity of the WHS is minimal and was not significant to any extent and certainly well below a level where we would consider lodging an objection. This view is not at odds with our continued understanding of the importance of the landscape setting of New Lanark WHS, but is based on our assessment that the impact on that setting is not significant in this case because important views would not be affected and there is very limited potential intervisibility between the edge of the WHS and the proposed quarry extension. We understand that intervisibility is not the only factor in the assessment of setting, but found no other factor in this proposal to be of sufficiently significant concern to justify an objection.

"It is important to establish that the assessment of the impact on the WHS was separate to our assessment of the impact on the Falls of Clyde Inventory Designed Landscape (GDL). We agreed with the applicant that there was likely to be a significant detrimental impact on this part of the GDL, and as a result sought to mitigate this impact by seeking amendments to the proposal. The western extension of the quarry has been amended to reflect our comments. The issue of the GDL is separate to that of the WHS, but it appears that these two issues are being conflated in much of the public commentary on the proposals. Our view is that it is possible to have a significant impact on the GDL without an associated impact on the OUV or the setting of the WHS.

"A local campaign group, Save Our Landscapes (SOL) and ICOMOS UK have criticised Historic Scotland's handling of the case and assessment of the impact of the proposals. We handled the case according to established policy and practice, and do not find that the assessment by SOL introduced any evidence to causes us to alter our conclusions." (Historic Scotland, January 2014).

Scottish Ministers decided on 29 January 2014 to call in the planning application for their own determination¹. Given that the planning application remains live and will be determined by Scottish Ministers, we cannot offer any view on the merits of the planning application or its potential impact on the OUV of New Lanark World Heritage Site. We will of course alert the World Heritage Centre to any decision as soon as this is taken.

We would, however, take this opportunity to update the World Heritage Centre on progress with the case, what the ongoing process will be and to advise how the Centre can engage in the process, should it wish to do so.

Further to our communication of 18 February, we can advise that reporters have been appointed to the case. They have looked at the documentation available and decided that a hearing and/or inquiry sessions will be required to help them consider the case.

¹ Further detail about the call-in process can be found at <http://www.scotland.gov.uk/Topics/Built-Environment/planning/Appeals/whatwedo/planningandrelatedappeals/planningappeals>

The Scottish Government's Directorate for Planning and Environmental Appeals (DPEA) has now written to all parties that have previously made representations on the planning application. DPEA has asked parties to confirm no later than 2 April whether they wish to be involved in the hearing and/or inquiry sessions.

Following confirmation by parties of their wish to participate in the examination, DPEA will proceed to make arrangements for a pre-examination meeting, which is likely to be held towards the end of April/May 2014. The purpose of the pre-examination meeting is to consider the administrative arrangements for the examination. The reporters will identify what further information is required to carry out the examination, who is best placed to provide this and what is the most appropriate method for doing so i.e. inquiry or hearing sessions or further written submissions. The reporters are likely to have carried out a site inspection prior to this meeting and further site visits will be carried out as required. If the reporters decide that inquiry or hearing sessions are required, they will try and agree dates for these at the pre-examination meeting.

Once the examination is complete, the reporters will make recommendations to Scottish Ministers, who will make the final decision on this application. It is anticipated, at this stage, that the report will be submitted in the Autumn 2014. However, if this anticipated date for submission of the report changes we will advise the World Heritage Centre accordingly.

Following receipt of the report and recommendations, Scottish Ministers will aim to issue the final decision on this case within 3 months of receipt of the report.

Progress in the case can be followed via DPEA's website www.dpea.scotland.gov.uk where key documents and the current progress of the application will be posted including DPEA's publication policy and frequently asked questions. The case reference for this application is "NOD-SLS-001".

If any representative of the World Heritage Centre or World Heritage Committee wishes to engage directly in the process, they should contact DPEA via their dedicated e-mail address for this case: dpeahyndford@scotland.gsi.gov.uk or at:
4 The Courtyard, Callendar Business Park, Falkirk FK1 1XR, United Kingdom.

Irrespective of whether UNESCO wishes to engage directly in the process, we will be forwarding the World Heritage Committee decision in this case to the reporters once it becomes available.

We wish to repeat our assurance to the World Heritage Centre that this application is being handled in full accordance with the Town and Country Planning (Scotland) Act 1997 and the Town and Country Planning (Appeals) (Scotland) Regulation 2013.

Pleasance Housing Proposals

All correspondence between Historic Scotland and South Lanarkshire Council in relation to this case can be accessed at South Lanarkshire Council's planning portal:

<http://pbsportal.southlanarkshire.gov.uk/Northgate/PlanningExplore/v17/GeneralSearch.aspx> . The application reference is: CL/12/X0076/NEW.

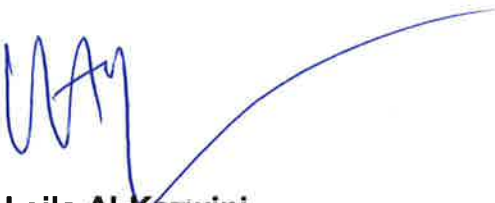
It is important to note that this was an application for planning permission in outline and in principle. We are advised by Historic Scotland that it has already been constructively involved with South Lanarkshire Council on measures to mitigate the effects of any development, such as by restricting its scope, and Historic Scotland will be involved in further discussions at the detailed application stage. Historic Scotland advises that it is confident that any impact on the OUV can be minimised through layout and design.

3. In conformity with paragraph 172 of the Operational Guidelines, please describe any potential major restorations, alterations and/or new construction(s) within the protected area (core zone and buffer zone and/or corridors) that might be envisaged.

Since the submission of the periodic report for the property in 2013, proposals have emerged to complete the regeneration of the historic village by renovating the vacant and derelict Double Row, a tenement of eight A-listed buildings, into use as residential accommodation. Under the proposals, which are being developed by New Lanark Trust, one stair within the tenement would be restored and used to interpret the living conditions of mill workers. Fabric repair and conservation of the A listed Caithness Row and Counting House, and Nursery Buildings would also be undertaken to improve the condition of these important buildings.

Heritage Lottery Funding was awarded in February 2014 to enable the development of a detailed project proposal. The deadline for the completion of the detailed project proposal and funding application is in January 2015.

Regards



Leila Al-Kazwini
Head of Heritage Policy

CC- HE Matthew Sudders, UK Permanent Delegate to UNESCO
UK National Commission for UNESCO
English Heritage
Historic Scotland

