



ENGLISH HERITAGE

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15 February 2010

Dear Mr Davey

PORTS: CONSULTATION ON DRAFT NATIONAL POLICY STATEMENT

English Heritage welcomes the opportunity to respond to the DfT consultation on the draft National Policy Statement for Ports, published November 2009.

English Heritage's role

English Heritage is an Executive Non-Departmental Public Body sponsored by the Department for Culture, Media and Sport, with our funding agreement signed by CLG and DEFRA. We work in partnership with central government departments, local authorities, voluntary bodies and the private sector to conserve and enhance the historic environment, broaden public access to our cultural heritage, and increase people's understanding and appreciation of the past.

We are the UK Government's statutory adviser and a statutory consultee on all aspects of the historic environment and its heritage assets. This includes archaeology on land and under water, historic buildings sites and areas, designated landscapes and the historic elements of the wider landscape. *Conservation Principles*¹ sets out the guidelines for engagement with the historic environment which have informed the consultation draft of Planning Policy Statement 15 (PPS15).

General position

- English Heritage supports the general approach of the Ports National Policy Statement (NPS) to consideration of the historic environment, which reflects that of the draft Planning Policy Statement 15 (PPS15). As the PPS is still in draft form (at the time of writing) it will be essential for the Department for Transport (DfT) to continue to involve English Heritage and the Department for Communities and Local Government so that as both the PPS and the NPS are finalised, the text of the NPS continues to reflect PPS15.
- However we are concerned that within the landscape section the NPS does not recognise the importance of considering effects of new development on the historic significance of heritage

¹ <http://www.english-heritage.org.uk/server/show/nav.9181>

assets, including historic landscapes and their setting. Where these are part of an earlier settlement, port or transport system the impact on them as a whole should be assessed.

- In addition the role of **appropriate design** in mitigating the impact of new development on its surroundings is not sufficiently developed with regard to heritage assets. The potential for design to minimise adverse impacts and also to incorporate heritage assets and promote quality of place needs to be recognised in the NPS.

Our key points, more detailed points and responses to the list of consultation questions are set out in the attached document.

Yours sincerely

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ENGLISH HERITAGE

DRAFT NATIONAL POLICY STATEMENT ON PORTS: ENGLISH HERITAGE RESPONSE

1 English Heritage's role

- 1.1 English Heritage is an Executive Non-Departmental Public Body sponsored by the Department for Culture, Media and Sport, with our funding agreement signed by CLG and DEFRA. We work in partnership with central government departments, local authorities, voluntary bodies and the private sector to conserve and enhance the historic environment, broaden public access to our cultural heritage, and increase people's understanding and appreciation of the past.
- 1.2 We are the UK Government's statutory adviser and a statutory consultee on all aspects of the historic environment and its heritage assets. This includes archaeology on land and under water, historic buildings sites and areas, designated landscapes and the historic elements of the wider landscape. *Conservation Principles*² sets out the guidelines for engagement with the historic environment which have informed the consultation draft of Planning Policy Statement 15 (PPS15).
- 1.3 However, our work on the designated and protected historic environment is only one aspect of English Heritage's interests in promoting the understanding, management and public enjoyment of the historic environment. It is important for us that the historic environment is considered within the wider environment, including submerged and often buried prehistoric landscape areas, together with archaeological sites and remains of coastal activities dating from all eras of history. We therefore consider it essential to ensure the management and use of every part of the historic environment is conducted in a manner that best serves the public understanding and enjoyment of the wider environment, and not just of the designated and protected sites.
- 1.4 English Heritage welcomes the opportunity to comment on this draft National Policy Statement and looks forward to being involved in the monitoring and updating of the Statement in due course once it is in place.

2 English Heritage key points

- 2.1 English Heritage considers that whilst section 2.24 of the NPS acknowledges the importance of considering the historic environment in decision making, there is a lack of understanding of why it needs to be properly protected and of its contribution to modern life. For example, the historic environment is central to the character of landscapes and can be associated with important social and economic benefits through tourism and creating a sense of place. We feel that this omission can be easily rectified, without presenting significant problems for meeting the need for ports provision laid out in the NPS and associated documents, as follows:
 - English Heritage to be consulted on the final draft of the ports NPS to ensure it reflects the final draft of PPS15.
 - The Ports NPS, like the other NPSs, should include a specific section on the criteria for design.
 - Reference to the historic elements of the landscape should be included in the section on Landscape and Visual Amenity.
- 2.2 English Heritage's key points are elaborated below.

² <http://www.english-heritage.org.uk/server/show/nav.9181>

PPS 15

2.3 Section 2.24 is based on the draft PPS15³. It needs to be kept up to date with any changes to PPS15 and measures need to be in place to ensure that the final NPS reflects the final published PPS, expected Spring 2010. The text currently reflects that of the draft PPS15 which was consulted upon (closing on 30 October 2009) by the CLG. In particular the wording on evaluation (2.24.7) and on deposition of archives (last sentence of 2.24.28) need to reflect the final PPS15 wording. English Heritage has worked closely with CLG and DCMS on the drafting of both the PPS itself and the ports NPS. However, PPS15 is still being developed and will no doubt undergo further amendments. Given the assurances given by CLG, those amendments will need to be reflected in this NPS. We feel that as the government's adviser on the historic environment it is important that we play a full role in how those amendments are mirrored in the NPS.

Historic Landscape (relevant to consultation question 9)

2.4 The NPS includes a section on 'Landscape and Visual Amenity (2.23). We feel that it does not properly acknowledge the historic element of the landscape, although all landscapes are historic in that they have been shaped by the interaction between humans and the landscape through time. Many of England's iconic landscapes have an historic element at their heart of their significance, and their setting in a landscape is part of the significance of many heritage assets. The NPS need to be worded in such a way to ensure the preservation of both nationally important landscapes and settings, and those of importance to local communities. This should accord with the European Landscape Convention. We suggest adding '*and in accordance with the European Landscape Convention, ratified by the UK in 2006*' after '*...taking account of the potential impact on the landscape*' in 2.23.6.

2.5 Under 2.23.7 of this NPS, National Parks, the Broads and Areas of Outstanding Natural Beauty are listed as having the highest status of protection in relation to landscape and scenic beauty. Conservation of the cultural heritage is a core statutory purpose for National Parks, and for AONBs the statutory definition of 'natural beauty' in the Natural Environment and Rural Communities Act 2006 acknowledges the influence of cultural factors. It should be acknowledged that part of the reason for a designation may be the historic value of the landscape, and that, alongside natural beauty, this should be given weight by the decision-maker. We suggest adding '*and cultural heritage*' after '*natural beauty*' here.

2.6 It is important that designated sites, building or monuments should not just be considered on their own, but also taking into account their setting in a landscape, where appropriate. Where there is historic landscape of particular heritage significance, greater weight should be attributed to its protection.

Design (covering consultation question 18)

2.7 The ports NPS quite rightly emphasises the importance of good design. However, as currently drafted it does not recognise the role that design has to play in potentially mitigating the impact of new development on the historic environment. English Heritage works closely with local government and partners to ensure that new development sits well within the historic landscape and is not detrimental to historic settings. Appropriate design is a key factor in minimising adverse impacts, particularly at the scale of Nationally Significant Infrastructure Projects (NSIPs). Therefore, the impact on the historic environment needs to be a material consideration when assessing design of new structures.

2.8 The use of the terminology relating to design is not consistent within the NPS or with other NPSs. For example, paragraph 1.10.2 requires that new port infrastructure should 'be well designed' but in other NPSs the phrase 'high quality design' is used. There are a number of other references to, variously, 'good environmental design' (1.10.5), 'good design' (numerous) and 'designed sensitively' (2.23.10). These inconsistencies need to be addressed.

2.9 Other NPSs, such as the overarching energy NPS (section 4.5), include a specific section on 'criteria for good design'. This section explains that good design is about ensuring attractive, usable, durable and adaptable places and contributing to sustainable development. It emphasises that good aesthetic and functional design can go together, and that the development should be as visually attractive as possible

³ The successor to Planning Policy Guidance 15 and PPG16.

as a result of good architecture and appropriate landscaping. Although we would like some amendments to this section for consistency, this section is welcomed and a similar provision ought to be included in all NPSs, including the ports NPS.

3 English Heritage detailed points

Para 1.1.1: add to the end of para '*...and leaving a rich legacy of standing and buried traces telling of the vital role Britain's ports have played throughout its history*' in order to recognise the continuing existence of material remains from the past described.

Para 1.10.2, bullet 8: high standards of protection should apply to all elements of the environment, including the historic and man-made. English Heritage suggests inserting '*and historic*' after 'natural'.

The commitment in para 1.10.2 to ensuring *that access to and condition of heritage assets are maintained and improved where necessary* is welcome. However this should include a reference to preserve and protect the historic environment as well as heritage assets, as the historic environment is a wider concept including all aspects of the environment resulting from the interaction between people and places through time, including for example landscape, and buried remains that are not necessarily readily accessible. We suggest adding '*and that the significance of the historic environment is preserved and protected*' to the penultimate bullet on heritage assets.

In para 2.1.1, the fourth bullet point mentions '*...any existing marine plans*'. The Marine and Coastal Access Act 2009 provided for a marine policy statement and for marine plans (see 2.16.14). We suggest adding '*under the Marine and Coastal Access Act 2009*' here.

Para 2.6.5: the treatment of positive impacts and 'substantial weight' should be consistent with other NPSs. Economic impacts should not necessarily be given greater weight than other impacts.

In para 2.9.1 Add '*improving access*' to the following statement 'Additional benefit should also be identified through promoting *and improving access to* the historical legacy of working ports; this is important in terms of the changing economic life of ports and how such change is compatible with conserving heritage assets.' This is consistent with commitments elsewhere in the NPS relating to improving access.

Paras 2.12.22-25 ('Additional guidance on dredging') should mention the impact of dredging on the historic environment. We suggest an introductory paragraph to this section saying that '*Both capital and maintenance dredging, and the disposal of dredged material, can affect the immediate environment and surrounding marine and coastal areas, with potential adverse impact on biodiversity and heritage assets*'.

Para 2.16 (coastal change): this should have more regarding historic environment and appropriate manner of mitigation. We suggest:

- adding '*such as submerged structures and wrecks*' to the end of para 2.16.3
- amending 2.16.6 to end '*marine ecology, biodiversity, protected sites and the historic environment*'
- including English Heritage by name in the list of statutory consultees in para 2.16.16
- adding after '*such as development design amendments, protective measures or in the last resort research and recording of sites before they are destroyed,*' after '*appropriate mitigation requirements*' in para 2.16.6

Para 2.23 (reference to landscape and visual amenity): this section needs to make the distinction between general landscape and designated landscapes/setting of heritage assets. Please see our comments on historic landscape in our section 2.4-2.6 above).

Para 2.23.9: should clarify what is meant by 'high environmental standards'. Please see our comments on design in our section 2.7-2.9 above.

Para 2.24 should include reference to property of outstanding interest designated by HMRC as conditionally exempt from inheritance tax. While such property could usefully also be mentioned in the landscape section, in the interests of avoiding duplication, we suggest the following wording is added as a new sub-section to the historic environment section.

Inheritance Tax

'HM Revenue and Customs has designated numerous properties as land conditionally exempt from inheritance tax to protect its outstanding scenic, historic and scientific interest for the nation. The protection of the special interest and character of this land should be taken into account by the decision maker'. The following footnote should then be added: 'For information about property of outstanding interest conditionally exempt from inheritance tax, see <http://www.hmrc.gov.uk/heritage/index.htm>

In para 2.24.1 please insert *'and infrastructure relating to ports'* after *'The construction, operation and decommissioning of ports'* and an additional sentence at the end: *'The significance of the historic environment to be affected should be fully assessed, understood and evaluated before proposals are agreed.'*

In para 2.24.2: the reference to 'canals' is welcome and we would like it to be included in this section for other NPSs. The list should commence *'such as'* as it is not exhaustive.

Para 2.24.4 should add *'Property of outstanding interest designated by HMRC as conditionally exempt from inheritance tax'*.

In para 2.24.6: reference is made to *'...relevant historic landscape characterisation...'* but the relationship with 'landscape character assessments' as mentioned in 2.23.3 is unclear? We suggest clarifying this by expanding par 2.23.3 to read *'...and associated studies, such as historic landscape characterisation, as a means of assessing landscape impacts...'*

In Para 2.24.6 and 2.24.10 it would be helpful to add reference to the 'relevant management plan' since this will normally include an assessment of significance of the land. We suggest *'...any relevant historic landscape characterisation or management plan...'* in 2.24.6 and *'...the assets themselves, any relevant management plan, and the outcome of consultations...'* in 2.24.10. A footnote could helpfully state: *'Management Plans such as Conservation Management Plans and Heritage Management Plans usually include an assessment of significance'*

In para 2.24.7 the reference made to 'field-survey' should be expanded to include marine survey (i.e. not within any local authority jurisdiction). Please add *'or, in the case of marine surveys, with the relevant national heritage agency.'* at the end of the final paragraph.

In para 2.24.8: damage to buried features may result not only from disposal of dredged material, but also from the action of dredging itself, which appears to have been overlooked. We propose adding *'Dredging or'* before 'dredged material' here.

Para 2.24.12 should include securing access to heritage assets, in line with para 1.10.2, bullet point 9. We suggest adding an additional clause *'...and securing their conservation for the longer term, aiming where possible also to secure access, identify viable uses consistent with conservation requirements and enable the heritage assets to make a positive contribution to local character and sense of place.'*

Between para 2.24.13 and 2.24.14 please insert the following new paragraph and footnote to put the statement about World Heritage Sites in 2.24.14 in context:

*'In fulfilment of its obligation under the 1972 World Heritage Convention, the government wishes to ensure the protection of each World Heritage Site and its setting through conservation and preservation of its outstanding universal value.'*⁴

Para 2.24.18 should include deposit of reports with the relevant national heritage agency for investigations conducted outside of any local authority jurisdiction (e.g. marine survey, see 2.24.7)

⁴ Communities and Local Government Circular 07/2009 *Circular on the Protection of World Heritage Sites* and the supporting EH Guidance Note *The Protection & Management of World Heritage Sites in England*.

In 2.24.19: the written scheme of investigation is to be agreed with national and local curatorial bodies. Add ‘...written scheme of investigation *to be agreed with the relevant national and local curatorial bodies.*’

Glossary: apart from port-specific terms, there needs to consistency with the definitions of terms in the other draft NPSs.

4 English Heritage response to consultation questions

4.1 English Heritage has no substantive comments on questions 4, 5, 6, 7, 10, 16, 17, 20, 29, 30, 31, 33, 34, 35, 36.

4.2 Our responses to the remaining consultation questions are as follows:

Q1: Do you think the draft ports NPS provides suitable guidance to decision-makers on the question of what need there is for new port infrastructure?

English Heritage understands the case put forward in the NPS for a market-led policy on the need for new port infrastructure. However, because of the strong likelihood that port developments will lead to the loss of heritage assets, which are a finite and non-renewable resource, English Heritage would support a cautious approach, with the assessments of demand being regularly reviewed to ensure that forecasts are robust and realistic and that the market has the best available information on which to act. If overstated forecasts lead to the development of spare capacity which is not economically sustainable, this will mean greater permanent loss of heritage assets than would otherwise occur, with any possible economic benefits from increased competition seeming unclear and hard to predict. It may be that an uneconomic port development ends up mothballed and inactive, rather than contributing to competition.

Q2: Do you think the draft ports NPS provides suitable guidance to decision-makers on considerations relating to inland connections for new port infrastructure and the appropriate modal share of traffic?

The transport implications of a port development (e.g. new road or rail links) are likely to affect the historic environment in the wider area. This should be recognised alongside other environmental impacts in 2.17 and the approach should be consistent with that taken in the forthcoming NPS on national networks.

Because of such impacts, it will be particularly important for the decision-maker to consult on the historic environment to ensure that they have sufficient information to assess the impact on the wider area.

Q3: Do you think the draft ports NPS provides suitable guidance to decision-makers on the economic impacts of port infrastructure?

Rather than simply concentrating on tourism, section 2.9 of the NPS could be expanded to incorporate assessment of the economic (job and business opportunities) and social benefits (local identity and social cohesion, also an objective in 1.10.3) to the local population as well as to visitors through promoting the historic legacy of working ports. Section 2.9 could be headed ‘*Local economic and social benefits*’ and in 2.9.1 the last sentence could start ‘Additional benefit through *increased tourism and enhanced sense of place* should also be identified through promoting the historical legacy of working ports’.

Q8: Do you think the draft ports NPS provides suitable guidance to decision-makers on the impacts of port infrastructure on the local population?

See response to Q3, above

Q9: Do you think the draft ports NPS provides suitable guidance to decision-makers on the impacts of port infrastructure on the natural environment?

Not as currently drafted. Please see our key points on the historic landscape in our section 2.4-2.6 above.

Q11: Do you think the draft ports NPS provides suitable guidance to decision-makers on the impacts of port infrastructure on the historic environment?

Not as currently drafted. Please see our key points on PPS15 in our section 2.3 above and the detailed points in section 3.

Q12: Do you think the draft ports NPS provides suitable guidance to decision-makers on the key considerations to inform the assessment of future port development applications?

English Heritage considers that the NPS guidance should be strengthened in the following areas.

Historic landscape

Please see our key points on the historic landscape in our section 2.4-2.6 above.

Marine Policy Statement

In the section 'Key Considerations' reference is made to taking account of the Marine Policy Statement and any existing marine plans. However, English Heritage considers that while the legal requirement for accordance is limited, this should not detract from the importance of the Marine Policy Statement to deliver the UK Government and Devolved Administrations 'High Level Marine Objectives' and subsequent application within marine planning. It is therefore important for the ports NPS to fully address planning and management of the marine environment as beyond the realm of terrestrial planning. We consider that greater direction should be provided beyond having regard to other relevant planning mechanisms, for example in section 2.16.14 reference is made to both Shoreline Management Plans and the UK Marine Policy Statement without adequately explaining the relative differences and legal basis for these two very different planning instruments.

Q13: Do you think the draft ports NPS gives appropriate guidance to decision-makers on how they should consider alternatives when it comes to particular projects?

Para 2.3.4 seems weak on the requirement for applicants to have considered alternative sites: there is reference to 'the urgency of the need' as set out in the NPS and a provision for excluding the examination of alternatives that the applicant presents as vague or not commercially viable. In view of the likely loss of heritage assets, which are a finite and non-renewable resource, during any port development, English Heritage feels that the assessment of need should be regularly reviewed to ensure that forecasts are robust and realistic and that the market has the best available information on which to act. Please see our comments on 'need' under Q1 above.

More generally English Heritage would like to be involved in the monitoring and updating of the National Policy Statement once it is in place.

Q14: Do you think the draft ports NPS gives appropriate guidance on how the cumulative and in-combination/synergistic impacts of port development should be considered by decision-makers?

English Heritage considers cumulative impact to be a key area and welcomes the inclusion of 'heritage assets' among the examples in para 2.2.3.

The cumulative impact of port development, associated developments and activities such as dredging on particular coasts and estuaries is likely to be considerable. This may result in cumulative loss of heritage assets which results in severe loss of significance, for example, the loss of all traces of historic port activity on a river or coast.

The historic environment of ports is highly vulnerable both from redundancy and development, and there is a lack of awareness of the potential for the discovery, enjoyment and, where applicable, re-use of this historic environment as a resource. Because a modern port may appear devoid of historic interest, there can be an assumption that nothing of importance remains, either below ground or below the water.

In former ports, the possibility of important buried remains and the significance and relevance of standing buildings (medieval houses, warehouses, etc) can be overlooked. Archaeological potential may be very high, both because of the way waterlogged sites preserve organic remains such as wood and leather (which rarely survive in non-waterlogged conditions), and because construction of new port facilities may reveal important palaeoenvironmental evidence showing how the river, coastal and marine geology, environment and human occupation has developed since the earliest times.

Above and below-ground relics of historic port installations are extremely vulnerable in working ports and are often regarded as impediments to successful commercial operations. Inter-tidal and marine remains also pose problems for shipping. The redundancy of historic port infrastructure: docks, locks, wharfs, cranes, warehouses, hydraulic systems – all usually specific in design and purpose – makes them particularly vulnerable to change. Such installations, many of them the work of the principal engineers of the 18th, 19th and 20th centuries, also frequently have major conservation needs if they are to be retained as accessible heritage assets.

Q15: To what extent do you think the draft ports NPS as a whole provides suitable guidance to decision-makers to help them make decisions about development consent applications for new port applications? Please consider this in relation to both potential decision-makers

a) The IPC for port applications over the NSIP threshold; and

b) The future Marine Management Organisation for port applications under the NSIP threshold.

Please see our key points in section 2 above.

Q18: It is a requirement of the Planning Act that the Secretary of State must have regard to the desirability of achieving good design. Do you think that the draft ports NPS fulfils this requirement?

Yes, subject to our key points on design in sections 2.7-2.9 above.

Questions concerning the Appraisal of Sustainability (AOS)

Methodology

Q19: To what extent do you think the methodology used to assess the sustainability of the draft ports NPS is appropriate?

Q22: Has the baseline analysis in the AoS missed or misrepresented any environmental, social or economic data?

Q24: Are the AoS objectives and sub-objectives as set out in the AoS framework appropriate

English Heritage was involved in developing the methodology used in the AOS and is generally content with its heritage and landscape sustainability assessment, subject to the comments below.

Coverage and consistency with NPS

Q21: Has the AoS considered all the relevant plans, policies and programmes?

English Heritage's previous consideration of the Appraisal of Sustainability identified a number of issues relating to the historic environment that the NPS needed to pick up:

- Reference to capital or maintenance dredging and its potential negative impact on underwater heritage assets should be included;
- Potential negative impacts on the historic environment arising from traffic increase, especially on the inland connections to ports should be addressed;
- Possible mitigation measures to alleviate negative impacts on the historic environment should be included; and
- Heritage assets of local or regional significance and the need to minimise any negative effects on them should be considered in the NPS.

These have all been addressed apart from the recommendation to recognise sites designated under the Protection of Military Remains Act 1986⁵, which appears to be still outstanding in the AOS though it is now covered the list of designated sites in para 2.24.4 of the NPS.

Q23: Are there any additional key sustainability issues relevant to the Ports NPS that need to be considered in the AoS?

AOS, page 53: Key issue 11: Landscape and Seascape. This section also mentions 'Landscape Character Area and Seascape Assessments' and should clarify who commissions these (Natural England/Countryside Commission for Wales?).

⁵ These sites are the responsibility of the MoD employing two types of designation, either 'protected place' where access is permitted but strictly on the basis of no disturbance or 'controlled sites' where all access is licensed. All crashed military aircraft located in the UK or within UK Territorial Waters are automatically designated under the 1986 Act and any excavation of such sites is subject to licence. However, for naval vessels (i.e. on governmental non commercial service) the application of the 1986 Act is subject to specific provisions and is discretionary. For example, in Scapa Flow both HMS *Vanguard* and HMS *Royal Oak*, lost through enemy action with considerable loss of life in the First and Second World Wars respectively are both 'controlled sites'.

AOS, page 55: Key issue 14: Historic Environment. The preceding section on landscape and seascape notes the importance of good design and its relevance to landscape and seascape issues, a point that ought to be replicated in this section on the historic environment. We propose including a final paragraph to read: *'High quality design is a key factor in minimising adverse impacts, particularly at the scale of Nationally Significant Infrastructure Projects. Therefore, the impact on the historic environment needs to be a material consideration when assessing design of new structures.'* Please see also our comments on design in our sections 2.7-2.9 above.

AOS, page 145: please add to the historic environment box that *'These activities can also affect seabed sedimentary conditions and thereby lead to the exposure and destruction or erosion of heritage assets'*.

Q25: Are there any incompatibilities between the main NPS objectives and the AoS objectives which have not been identified in the AoS?

AOS, page 80: this lists the NPS objectives for new port infrastructure, mostly replicating the NPS 1.10.2, but omitting reference to the historic environment. We presume this is an oversight, as it is included in the NPS itself. Please reinstate the reference to the historic environment, taking into account our points on NPS para 1.10.2 above.

Q32: Have any key findings from the AoS report not been taken account of properly in the NPS?

AOS, page 55 and 145: capital dredge projects are also mentioned which should therefore be included in section 2.24 of the NPS. See our comment on para 2.24.8 of the NPS, above.

Alternatives

Q26: To what extent do you think the alternatives covered are appropriate? Are there any additional alternatives that should be included?

Q27: To what extent do you think the approach taken to the assessment of alternatives is suitable?

Q28: Do you agree with the results of the assessment of alternatives?

From the point of view of the impact of developments on the historic environment and heritage assets, the alternatives section appears to present an optimistic view, stating that *'...through ensuring that mitigation and compensation are guaranteed as necessary by the planning system ... and in view of the duty on the IPC to reject applications where the adverse impacts exceed the benefits, it is unlikely that significant negative environmental impacts will ensue'*. In fact developments on the scale of national infrastructure projects are likely to lead to the irrecoverable loss of heritage assets, which are a finite and non-renewable resource. This is not something that can be compensated for. Indeed it is contrary to guidance with regard to the historic environment⁶, where and 'preservation by record' is a mitigation strategy of last resort.

Under 'Economic Impacts', although this section acknowledges that the market led approach may lead to greater capacity than *'strictly required'*, it argues that *'this could have beneficial resilience and competition effects'*. In line with our comments on 'need' (consultation question 1) English Heritage would like *'although there may be more adverse environmental effects than would otherwise be the case'* to be added to this statement.

⁶ PPG16 and successor documents.

If you would like this document in a different format, please contact
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