

## Heathrow Expansion DCO Consultation Response Historic environment

September 2019

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### 1. Overview

- 1.1 This paper sets out the Mayor's response on historic environment to the statutory consultation by Heathrow Airport Limited (HAL) on its expansion proposals.
- 1.2 Overall there are concerns that the proposals will result in significant harm to the historic environment given the extensive impacts they would have on a wide range of high-value heritage assets. Furthermore, the analysis of impacts on non-designated assets is insufficient, as is the area HAL has looked at and the approach to archaeological assets.

### 2. Potential significant effects

- 2.1 As it stands, the Preliminary Environmental Information Report (PEIR) is reporting a considerable number of significant effects. The Environmental Statement (ES) will need to clarify the potential for these effects to be realised and identify measures to reduce, manage or mitigate these effects. All harm to the historic environment as a result of any new runway and associated development must be minimised, and where it cannot be avoided must be robustly justified. As the Airports National Policy Statement (NPS)<sup>1</sup> states at paragraph 5.201, 'Given that heritage assets are irreplaceable, any harm or loss should require clear and convincing justification'.
- 2.2 Many "high-value" reported impacts for heritage assets are assessed as being significant (negative). This raises concerns that the proposed scheme in its current format may not be acceptable in terms of the effects on the Historic Environment. The proposal will need to provide substantial justification for the large number of significant effects on heritage assets or develop additional design mitigation and enhancement measures so that these effects are reduced to an acceptable level.
- 2.3 There does not appear to be a coherent strategy for place making around the airport in regard to heritage assets, including conservation areas in the vicinity of the site. This is particularly the case for the historic villages of Harmondsworth and Longford, where the demolition of the entire Longford conservation area and part of the Harmondsworth conservation area is proposed. This would result in a number of potential impacts including the creation of hard edges between remaining conservation areas and the airport site, as well as risking the on-going vitality of the conservation area in question.

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<sup>1</sup> This is without prejudice to the status and adequacy of the ANPS which is currently a matter before the Courts.

- 2.4 There is an emphasis on designated heritage assets with non-designated heritage assets not considered in measurable detail. As non-designated heritage assets also have the potential to be of high significance, the assessment should aim to give proper consideration to all heritage assets.
- 2.5 The assessment demonstrates an unwarranted bias towards above ground heritage assets and primarily historic buildings. This is reflected throughout the assessment, where archaeological assets (other than scheduled monuments) are not represented in the gazetteer in appendix 13.1 and the data sources proposed for the baseline assessment are biased towards data sets that list designated heritage assets or focus on historic buildings and conservation areas. The primary data sets for below ground archaeological remains (the Historic Environment Record and Archives Monuments Information England) are excluded. This approach is contrary to the NPS (see paragraphs 5.191 and 5.193).
- 2.6 The assessment methodologies and study areas proposed also demonstrate a bias towards above ground heritage assets, primarily buildings, by focusing on impacts arising from noise in the wider study area. Overall there is a potential that this approach could lead to gaps in the assessment.
- 2.7 There is a generalised assumption made that previously developed land has no archaeological potential. This is not necessarily true. Some forms of development (notably minerals extraction) will completely truncate archaeological deposits. However, other forms of development have the potential to preserve or only partially truncate archaeological deposits. Therefore, the assessment needs to critically assess the nature of each area of development within the site before dismissing a land parcel as having no archaeological potential. Currently, the assessment has the potential to miss significant archaeological remains.

### **3. Methodological flaws and deficiencies**

- 3.1 There are a number of additional methodological flaws and deficiencies that become apparent on reviewing the proposal as it currently stands. The focus on noise as a source of impacts is of particular concern. The ES needs to present a holistic assessment of effects on heritage assets that considers all types of impacts, not just noise. The consideration of noise is important given the proposal will result in a sharp increase in noise generating uses, however, the proposal should still set out the other potential impacts and assess them, proposing appropriate mitigation measures.
- 3.2 The proposal should provide further explanation of how the study areas were defined and explain how potential effects on heritage assets arising from changes in their setting (other than from noise) will be captured in the assessment. This is particularly important for designated heritage assets to the north and south of the site beyond the 1km boundary as they do not currently fall into either study area. If it has already been determined that no heritage assets outside of these study areas will experience significant effects then the assessment should provide commentary on how this has been determined.

- 3.3 The chosen assessment methodology for consideration of impacts on the historic environment needs to be tested to demonstrate that it is robust as it appears to contain inconsistencies. In particular the matrix in Table 13.13 appears to create a bias towards arriving at effects that are not significant, with even the total removal of a Low value asset only being considered at best “potentially significant”. Further, the potentially significant section does not appear to consider indirect effects.
- 3.4 Non-listed buildings with historical interest outside of conservation areas are not mentioned in the list of built heritage assets. No justification for why these assets are not being considered is provided. World Heritage Sites are also not listed but the Royal Botanical Gardens at Kew is included in Appendix 13.1. Again, no justification for this discrepancy is provided.
- 3.5 The classification of the World Heritage Site of the Royal Botanical Gardens at Kew as of High significance does not adequately distinguish this internationally important asset from nationally important assets such as listed buildings. This highlights a significant weakness in the assessment methodology that needs to be addressed.
- 3.6 Chapter 1, Appendix 2.1 of the PEIR makes clear that HAL considers that the London Plan and the draft London Plan are relevant policies. HAL claim that regard has been had to these policies, but this is not adequately evidenced.
- 3.7 The draft London Plan policy HC1 Heritage conservation and growth identifies both designated and non-designated heritage assets and makes it clear that both are important to London’s historic environment. The London Plan glossary entry for ‘heritage assets’ states that this includes both designated and non-designated heritage assets where these have been identified by the local authority (including local listing) during the process of decision making or plan-making. The proposal will need to make sure that any non-designated assets that meet this threshold are also considered and potential impacts assessed.
- 3.8 In terms of the historic environment the proposal will need to demonstrate how the relevant current London Plan 2016 as well as the draft London Plan policies have been considered and addressed. The following are of particular relevance (though this list is not designed to be exhaustive):

#### London Plan 2016

- Policy 7.4 Local character
- Policy 7.8 Heritage assets and archaeology
- Policy 7.9 Heritage-led regeneration
- Policy 7.10 World Heritage Sites
- Policy 7.11 London View Management Framework
- Policy 7.12 Implementing the London View Management Framework

### Draft new London Plan

- HC1 Heritage conservation and growth
  - HC2 World Heritage Sites
  - HC3 Strategic and Local Views
  - HC4 London View Management Framework
- 3.9 The list of data sources to be consulted for the assessment omits HER and AMIE data. This is a significant omission and represents a departure from the National Planning Policy Framework (see paragraph 189). Not collecting data from these two sources could result in omissions in the baseline and affect the robustness of the assessment.
- 3.10 It is difficult to cross reference between the appendix, chapter and figures as the tables of heritage assets do not provide a numbering system for the heritage assets beyond assets that already have their own unique ID numbers (like Listed Buildings do). This is a particular issue for the non-designed heritage assets and means that it is not possible to determine whether the assessment considers all heritage assets within the defined study area.
- 3.11 Further to this, the spatial scope of the study areas does not appear fully robust. The core study area is restricted to 1km from the site boundary and appears focused on construction impacts only. The wider study area is defined purely by a single methodology for assessing impacts arising from noise and as a result is severely restricted to the north and south of the site. Neither study areas appear to account for potential impacts arising from changes in the setting of heritage assets (other than noise) outside of the 1km boundary. This creates a risk that significant impacts on designated heritage assets (particularly those located to the north and south of the site) could be missed.
- 3.12 From our review, this approach seems to indicate that there is the potential that existing heritage assets have not been identified and/or potential impacts on them considered. If HAL believes it has already been determined that no heritage assets outside of these study areas will experience significant effects as a result of the proposal, then commentary will need to be provided on how this has been determined.
- 3.13 It appears that the proposal is not supported by sufficient imagery/modelling to demonstrate potential impacts. From a heritage perspective, this kind of supporting documentation is particularly important, and should be provided for developments of this scale, given that some of the most likely impacts on significance arising from the proposal are likely to be to the setting of heritage assets and identified views. The draft London Plan explains how 3D modelling can be used to assess cumulative impacts of developments (Policy D8, paragraph 3.8.3), as well as in understanding the impacts of potential changes to the setting of heritage assets including World Heritage Sites (Policy HC2, paragraph 7.2.3).

- 3.14 It is noted that the historic environment baseline is somewhat incomplete. Discussion is focused on built heritage assets, which is generally restricted to a catalogue of the assets without discussion of significance or setting. The glossary of the draft new London Plan clearly states that heritage asset is a term that applies to valued components of the historic environment including buildings, monuments, sites, places, areas or landscapes positively identified as having a degree of historic significance meriting consideration in planning decisions. The NPS reiterates this point at paragraph 5.189 and it is intended that the NPS apply to all heritage assets. The ES will need to be significantly more robust than the current assessment in order to comply with the NPS requirements in regard to the historic environment. The requirements of the NPS and the related text in the Appraisal of Sustainability (AoS) in relation to enhancement measures should be borne in mind here.
- 3.15 Historic England has also echoed the concerns that it seems likely that on a number of points the proposal will not be compliant with the NPS in relation to the historic environment.
- 3.16 For many areas, discussion of archaeological assets is restricted to signposting to the summary and verbatim repetition of generic text relating to significance and time periods (e.g. paragraph 13.9.69) and it is also noted that for some areas a Historic Landscape baseline is missing. As the PEIR is a point in time it is accepted that this is not necessarily a deficiency in the assessment. However, it would be expected that the baseline will be significantly expanded in the ES.
- 3.17 Historic England would require a field evaluation to be done where there is likely to be an archaeological interest, and this should be undertaken ahead of the point of decision. However, it appears that the proposal does not intend to do this, with little or no new evaluation proposed to inform the DCO decision despite identifying some 543 hectares as subject to significant harm. This approach seems to fall foul of the requirement in paragraph 5.193 of the NPS.
- 3.18 The ES should provide specific justifications for why specific land parcels have no archaeological potential and not rely on blanket, unjustified statements. If land has been destroyed without record, it is unclear how the assessment can be certain that there is no archaeological potential.
- 3.19 The proposed surveys for the core study area do not appear sufficient to develop a full archaeological baseline. Within the site boundary the assessment should also consider applying a range of non-intrusive and (if appropriate) intrusive archaeological investigation techniques beyond just a walk-over to ensure that the baseline is well developed. Previous archaeological investigations should not be relied on as the sole source of information.
- 3.20 It is accepted that the archaeological resource at this site is large and discussion of the resource at a landscape scale can be appropriate at the PEIR stage, however more focused detail will be required in the ES to allow for full understanding of the effects of the proposed development on the archaeological resource. Despite the size of the site,

the discussion and assessment of individual archaeological assets should not be ruled out. It is acceptable that some screening should take place to avoid overly long and irrelevant baseline reports, however discussion of individual assets should not be discounted entirely as this can lead to gaps in the assessment.

- 3.21 The summary of the archaeological baseline contained within the second half of appendix 13.1 serves to highlight that below ground archaeological remains (other than scheduled monuments) have been completely omitted from the tables in the first half of the appendix.
- 3.22 The summary of archaeological assets states that setting makes little or no contribution to the significance of most of the archaeological assets discussed. This ignores other elements of an asset's setting that contribute to its significance, such as the relationship between assets of a similar type or time period, or geographical or landscape features that explain an asset's location such as rivers (river terraces, valley floodplains, rivers as sources of water or transport networks etc.) or hillsides, or for later periods, the relationship between settlements. The summary would benefit from a more critical and holistic appraisal of the setting of the assets discussed and consideration as to whether there are aspects of each asset's setting that do contribute to their significance that are not visual and are not affected by the present day urban and industrial nature of the landscape.
- 3.23 For the reasons set out above, there is a serious lack of sufficient detail on the impacts on heritage assets. As with other topic chapters, the Mayor does not consider that HAL has complied with its duty to provide information which is reasonably required to develop an informed view of the likely significant environmental effects (as per Regulation 12 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017). The Mayor would, therefore, expect HAL to formally consult on the impacts once they have addressed the serious concerns set out above.

#### **4. Engagement with appropriate bodies**

- 4.1 Historic England, the Government's statutory adviser on the historic environment signed a Service Level Agreement (SLA) in 2017 to help ensure a positive approach to historic environment issues around the expansion of the airport. Engagement with Historic England to date appears to cover a range of topics but is also geographically limited. Going forward, the Mayor would expect engagement with Historic England should cover potential significant effects on all heritage assets across the core and wider study areas.
- 4.2 It is not clear whether specific discussions have been had with the Greater London Archaeological Advisory Service (GLAAS) regarding heritage mitigation. This may have been part of the discussions on the Archaeological Research Framework but the text in this section (paragraph 13.3.9 PEIR) does not clarify this.
- 4.3 It is understood that the Association of Local Government Archaeological Officers (ALGAO) has undertaken a review of the PEIR and prepared a note identifying key points and strategic issues relating to the proposed approach of HAL to archaeological

matters in the Environmental Assessment for the DCO, with the intention of informing affected local authorities, Historic England and other interested parties and to promote consistency of response on technical issues related to this topic. However, it does not address site-specific matters.

## **5. Information gaps**

- 5.1 The proposed deliverables of a Historic Environment Research Framework and a Historic Environment Overarching Written Scheme of Investigation along with the proposed Heritage Design Strategy suggest that this mitigation should be well developed by the time of the submission of the DCO application. However, at this stage, no specific embedded design or mitigation measures have been presented for the bulk of heritage assets that may be impacted by the scheme. Future submissions should be specific about design and mitigation measures for all assets impacted by the scheme.
- 5.2 The ES needs to present a holistic assessment of effects on heritage assets that considers all types of impacts not just noise. The assessment needs to provide further explanation of how the study areas were defined and explain how potential effects on heritage assets arising from changes in their setting (other than from noise) will be captured in the assessment. It also needs to expand to consider the assets beyond just those that may experience effects from impacts other than noise or provide robust justification for why noise is the only relevant impact. The approach to excluding heritage assets from assessments should be reconsidered and a methodology adopted that will capture all potential significant effects.
- 5.3 The ES should provide a sufficiently strong justification for the demolition/removal of any heritage assets particularly the designated ones, in line with relevant policy and guidance.
- 5.4 The historic environment baseline is somewhat incomplete and will need to be expanded prior to submission of ES. The archaeological baseline will need to be compiled from all relevant data sources.
- 5.5 The ES should provide specific justifications for why specific land parcels have no archaeological potential, not rely on blanket statements.
- 5.6 Despite the size of the site, the discussion and assessment of individual archaeological assets should not be ruled out. The approach to discussion of archaeological assets should be reconsidered and a more robust screening process adopted to maintain a manageable but robust baseline.
- 5.7 Numerous statements indicate that there is still substantial work to be done in refining the impact assessment and designing the mitigation measures for the scheme. This work will need to be completed prior to the submission of the DCO application and the outcomes reported in the ES.
- 5.8 The list of data sources to be consulted for the assessment will need to be updated to include HER and AMIE data.