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Your Ref
Our Ref

13 March 2009



Dear Francesco

Mission Report: Old and New Towns of Edinburgh (United Kingdom) (C 728)

Thank you for the copy report, received on 6 February 2009, of the joint UNESCO/ICOMOS reactive monitoring mission to the World Heritage property of the Old and New Towns of Edinburgh which took place from 12-15 November 2008 in accordance with Decision 32 COM 7B.117 of the World Heritage Committee at its 32nd session in Quebec, Canada in July 2008. It was very helpful to have as one of the Mission an architect who was involved with the development of the Vienna Memorandum.

We are grateful for the mission's detailed and comprehensive report and warmly welcome the overall conclusion that the state of conservation of the Edinburgh Old and New Towns of Edinburgh property is satisfactory, and that inscription on the List of World Heritage in Danger will not be required. We welcome their finding that the property is adequately managed, and their recognition of the importance we attribute to World Heritage in conservation.

We have carefully considered the conclusions and recommendations of the joint mission report in consultation with the stakeholders in the World Heritage property. Summaries of what we understand to be the key issues raised by the mission and our detailed responses to them, under the headings set out in the conclusions and recommendations, are attached at Annex A. I would also like to draw your attention to several factual inaccuracies in the mission report which are set out in Annex B to this letter. I would be grateful if these inaccuracies could be corrected in the report as suggested.

We also welcome the mission's recommendation for Draft Decision 33 COM and look forward to the World Heritage Committee's consideration at its 33rd session in Seville, Spain in June. Meanwhile, the UK would like to reassure the World Heritage Committee of

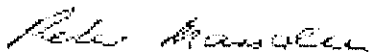


improving
the quality
of life for all

our ongoing commitment to the conservation and protection of this unique and important World Heritage property.

Please let me know if you require any further information.

Yours sincerely



Peter Marsden
Head of World Heritage

Cc H.E Mr Peter Landymore, UK Permanent Delegate to UNESCO
UK National Commission for UNESCO
ICOMOS
Historic Scotland
City of Edinburgh Council

**MISSION REPORT: OLD AND NEW TOWNS OF EDINBURGH (UNITED KINGDOM) (C 728)
– RESPONSE BY THE UK STATE PARTY**

5. CONCLUSIONS AND RECOMMENDATIONS

Management of the property

The mission found that a professional team is in place which proceeds according to the rules under Scottish and British law and that necessary legislation and regulations are in place and are regularly updated.

- We welcome the mission's findings that a professional team is in place who act appropriately under the necessary legislations and regulations. We are committed to improving the management of the World Heritage property and periodically review our procedures to ensure that they represent best practice. The local authority, City of Edinburgh Council, will continue to apply UK Planning law and regulations to planning applications, treating each one on its merits, and welcomes proposals containing high quality architecture which respond to and respect their context and the Outstanding Universal Value of the World Heritage property.
- We are pleased that the mission commended the Edinburgh skyline study by Colvin and Moggridge and that they recognised the importance of the study as an instrument for planning in the World Heritage Site.

The mission recommends that the State Party need to involve more stakeholders as partners in site management in a more complex and encompassing way than before.

- We are happy to take this forward. As outlined in the State of Conservation report submitted to the World Heritage Centre on 1 February 2009 the current Management Plan for the World Heritage property was adopted in 2005 and is therefore due for review by 2010. Historic Scotland, the City of Edinburgh Council and Edinburgh World Heritage, along with the other members of the Steering Group are currently commencing the review process. The timing will allow any issues that have arisen in the mission report to be considered as an integral part of the process. In particular we aim to ensure that more engagement is undertaken as early as possible in the review process to ensure that a variety of stakeholders are involved and that the review procedure is transparent and inclusive.
- Historic Scotland has commissioned independent consultants Tribal to undertake a review of Edinburgh World Heritage (EWH). A major review of EWH was previously conducted in 2002-2003 which resulted in significant changes to the structure and operation of the organisation. Historic Scotland and the City of Edinburgh Council have always envisaged a need to review progress against these recommendations and this was one of the main drivers for this current review. The present review has

included an assessment of the structure of the organisation, its role and remit and the extent to which the current arrangements meet the requirements of stakeholders including UNESCO. It is anticipated that through the review we can better identify the roles and responsibilities of this and other key stakeholders to ensure more efficient and coordinated management of the World Heritage Site.

The mission stated that the Edinburgh Old and New Towns property does not, at present, have an allocated buffer zone. It recommended that the update of the property's Management Plan could facilitate a discussion on the establishment of a buffer zone.

- We are happy to take this forward. The mission notes that the Old and New Towns of Edinburgh property is protected by 39 conservation areas which cover not only the World Heritage property but also nearly all adjacent land and therefore enhance conservation of the property by providing statutory protection under the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1997.
- The UK does not believe that buffer zones are necessary in every case, particularly where adequate layers of protection already exist. However, we are committed to improving the management and conservation of the property and will therefore encourage a discussion about the necessity for an allocated buffer zone. We agree that the review of the Management Plan offers a potential forum for this dialogue.

State of conservation - Specific development projects

Caltongate

The mission found that the Caltongate site – a vast area in the historic centre – is the proper area and location for inner city development at an urban scale.

- We note and warmly welcome the mission's conclusion that, in general, the Caltongate development will have no major impact on the outstanding universal values of the Old and New Towns of Edinburgh World Heritage property.
- We note the mission's concerns about a number of aspects of the project's design. We are keen to reassure the World Heritage Committee that we were careful to analyse the proposals within the context of the World Heritage Site Management Plan. We hope that the Committee will find our responses to their specific recommendations, outlined below, helpful in this respect.

The mission suggested that any destruction of listed buildings should be avoided in general and recommends the integration of the two listed buildings in the final design

- The proposed demolition of the Category C (S) listed former Canongate School, and the partial demolition of the Category C (S) listed Old Sailors Ark building, were justified against the criteria set out in Historic Scotland's *Memorandum of Guidance*.
- The justification for demolition, in whole or part, of the two listed buildings, is based upon their structural condition, inability to adapt them to new use and the business case for a five-star hotel that underpins the whole Caltongate development. These

justifications have been independently assessed for Historic Scotland during the referral process and found to be robust.

- During their visit the mission received full briefing and presentations on the development from City of Edinburgh Council and the developers, Mountgrange. The full planning process, from masterplan to detailed consents, was discussed, and the mission made aware that planning consents had been issued.

The mission recommends that the new buildings (project by Malcolm Fraser) at Jeffrey Street/East Market Street be redesigned to keep the interactivity between the urban structure and the open space, and to retain important views in the urban landscape

- The proposals follow the City of Edinburgh Council *Caltongate Masterplan*, adopted as Supplementary Planning Guidance in 2006 after extensive public consultation and discussion, in which Historic Scotland, Edinburgh World Heritage and community groups were represented. The masterplan sets out appropriate heights to preserve and enhance the contours of the Waverley Valley, that separates the Old Town from Calton Hill and the building sits within the envelope identified. The Committee may find it helpful to be aware that amendments were made to the earlier proposals to ensure that significant views were protected.

The mission recommends that the public realm be redesigned to give more attention to public spaces following the social structure and socio-cultural needs of inhabitants and local communities

- We note the mission's comment that in-depth consultation and mapping processes with local community groups could have achieved even better design results. The mission may care to note that the design of public space within the development is an area that has already benefited from the results of public consultation and community workshops during the masterplanning process. The form, scale and layout of the main public space all changed radically in response to initial comments from stakeholders. Public consultation and community engagement are considered to be a fundamental part of the UK planning process. The consultation processes of the Planning etc. (Scotland) Act 2006 which, of course, places community engagement at the forefront of planning were piloted for the Caltongate application.
- The Planning etc. (Scotland) Act 2006 sets out requirements for both planners and the local authority. The emphasis in the development management process is for developer led consultation and liaison with the community before planning applications are lodged. The public consultation process associated with the Caltongate development was started by the developer with a series of public exhibitions, stakeholder workshops and a community planning day. It was subsequently taken over by the City of Edinburgh Council and the outcome of informed detailed consideration of the application by the Council at both officer and planning committee level.
- The uses proposed, spatial pattern of development, height and form of the development are in line with the masterplan, which was itself drafted to reflect the outcome of the community consultation to the *Waverley Valley Planning Strategy*, dating from 1989. This strategy, together with the *Waverley Valley Co-ordinating Framework Document (2001)*, was the subject of extensive consultation.

St. James Quarter

The mission concluded that plans for the demolition of the existing St. James Centre and former Scottish Office will enable a new vision for the area which can contribute much more to the scale and grid of the historic centre.

- We agree with the mission's statement that the existing 1970s St. James Centre is a visual barrier in the city and has a negative impact on the World Heritage property and its integrity.
- We will continue to work with the developers, Henderson Global Investors, and the City of Edinburgh Council to guarantee that the evolving proposals for the St James Quarter continue to respect the historic environment and avoid any adverse impact on the World Heritage Site.

Haymarket

We note the mission's reservations about the height of the planned hotel building which they believe must be reduced due to its major visual impact on the World Heritage Site.

- We welcome the mission's finding that the Haymarket site, as one of the major gateways to the city and being on the edge of the World Heritage Site amongst relatively plain architecture, is a sensible location for quality contemporary, landmark architecture. We wish to echo their belief that quality of the design for the development must be exceptional and fully integrated with surroundings.
- As noted in the mission report, the proposed development at Haymarket has been called in for review by Scottish Ministers and a public inquiry will take place later this year, led by the Directorate for Planning and Environment Appeals. The inquiry has now been scheduled to take place in late May / early June 2009.
- Because of the confidential nature of the mission report, we are unable, at present, to share the mission's concerns about the height/design of the Haymarket development with reporters involved in the inquiry. We would suggest that you permit us to provide reporters with a relevant extract from the report. It should be noted, however, that the inquiry process is a public procedure and that the views held in that extract would have to be released into the public domain two weeks before the inquiry commences. Alternatively, the mission may want to consider producing a bespoke statement which could be sent to the inquiry reporter's unit.

Leith Docks

The mission found that, because of its distance from the World Heritage property (2.5 km) that there will be no major and direct impact on the values of the site.

- We agree. We will continue to work with the developers and the City of Edinburgh Council to guarantee that the evolving proposals for the Leith Docks continue to respect the historic environment and avoid any adverse impact on the World Heritage Site.

GENERAL COMMENTS

Other issues

The mission noted the efforts by the authorities and the property developers to find a right solution between reconstruction and modern design on the Cowgate site which is up for renewal after the fire in December 2002

- All the partners aim to achieve just that. We welcome the mission's conclusion that the solution to the site could become a good example of contemporary architecture in the historic surrounding by keeping the historic pattern of the volume and the facades without being "historical".

The mission recommends that a holistic approach to traffic development in the World Heritage property and beyond including areas outside the World Heritage site.

- We wish to draw to your attention that Edinburgh City Council's Local Transport Strategy 2007 – 2012 contains a commitment to develop a City Centre Transport Strategy when full details of tram construction and design are finalised. Work is now underway, currently with a strong focus on Princes Street and the First New Town. It is further asserted by the Council that the strategy for the area will not simply be a transport strategy, but a strategy which looks at the area as a whole; examining how it can build on its strengths and overcome some of its weaknesses.

Other Improvements

The mission found that the Edinburgh Old and New Towns of Edinburgh World Heritage site is not in Danger but recommended several areas for improvements.

- We warmly welcome the mission's final conclusion that the Edinburgh World Heritage property is not in Danger and their positive and constructive comments on the areas where they believe improvements can be made.

The mission suggested that the overall smooth co-ordination and management of the property could be improved, including the City Council, Historic Scotland and Edinburgh World Heritage.

- We are happy to look for ways to address this. Historic Scotland, the City of Edinburgh Council and Edinburgh World Heritage are working together with other members of the Steering Group in reviewing the current Management Plan for the World Heritage Site. This, together with the aforementioned review of Edinburgh World Heritage should help us to improve the lines of communication between stakeholders, who we agree must have a unified vision for the site.

The mission team recommends the improved involvement of stakeholders to ensure transparency and particularly best practice in masterplanning approaches. They expressed a belief that local authorities should take a leadership role in this context

- The Scottish Government encourages masterplanning as a means of raising the quality of urban design and creating better places. It is seen as supporting the main focus of Government to create sustainable economic growth
- We recognise that for masterplanning to be effective it must engage with and involve a range of stakeholders across the private, public and community sectors and that the local authority must work in partnership with all these people. The Planning etc (Scotland) Act 2006 places community engagement at the forefront of planning and sets out new requirements for both developers and the local authority
- Government advice on masterplanning emphasises the importance of leadership in the process, but does leave it open as to whom should be in the lead. Planning Advice Note (PAN) 83 on Masterplanning states that:

"the leader may be a political figure, a design champion, a member of the masterplanning team, a developers, or a funder "

"masterplans are usually commissioned by local authorities, developers, housebuilders, landowners, and regenerations agencies or by any of these in partnership"

- The requirement for the local authority to approve any masterplan before it can be adopted as supplementary planning guidance ensures that the local authority retain control over the masterplanning process.

The mission recommends that stakeholders should make best use of architectural competitions for certain projects to enhance design, quality and diversity.

- We agree that architectural competitions may have a significant role in the evolution of projects for the regeneration or development of individual sites. They have already been used successfully in Edinburgh in some high profile cases.

The mission felt that awareness raising and information of all stakeholders about the clearly defined outstanding universal values of the World Heritage property, its integrity and authenticity is a critical basis of all future developments.

- We note and welcome the mission's assessment that awareness raising about the World Heritage property's clearly defined attributes should be the critical basis of all future developments.
- We are confident that the planned work on the Management Plan will provide a real opportunity to ensure that the need to protect the Outstanding Universal Value of World Heritage properties in Scotland is promoted to stakeholders and, as a result, is fully considered in planning applications.

MISSION REPORT: EDINBURGH OLD AND NEW TOWNS (UNITED KINGDOM) (C 728) –
STATE PARTY COMMENTS ON POINTS OF FACTUAL AND TYPOGRAPHICAL ACCURACY

1. Section 2.1 National legislation and policy, paragraph 2 page 7

“Under the Devolution agreement with DCMS, Historic Scotland on behalf of Scottish Ministers acts as State Party in relation to Scottish World Heritage sites, including their management”

This should read:

“Under a concordat with Scotland, Scottish Government Ministers are responsible both for identifying and putting forward for nomination individual Sites within Scotland and for ensuring that Scottish sites meet the requirements of the Convention”.

2. Section 3.2, Overall state of conservation, paragraph 4, page 9

“The mission commended the authorities for the skyline study by Colton & Moggridge ...”

This should read:

“The mission commended the authorities for the skyline study by Colvin & Moggridge ...”

3. Section 3.2, Specific development projects, Caltongate project, paragraph 3, page 10

“Concerns were specifically raised about the scale of the Canongate development and the urban form and spaces, which could impact negatively on views from Carlton Hill.”

This should read:

“Concerns were specifically raised about the scale of the Caltongate development and the urban form and spaces, which could impact negatively on views from the Calton Hill.”

4. Section 3.2, Specific development projects, Caltongate project, paragraph 3, page 10

“Other concerns were raised about the relationship between the Old and New Towns and the continuity of urban patterns.”

This should read:

“Other concerns were raised about the relationship between the Old and New Towns and the continuity of urban patterns.”

5. Section 3.2, Specific development projects, Caltongate project, paragraph 10, page 12

"Consideration of redesign of public spaces as above mentioned and any impacts on views from Carlton Hill be carefully reviewed"

This should read:

"Consideration of redesign of public spaces as above mentioned and any impacts on views from the Calton Hill be carefully reviewed"

6. Section 3.2, Specific development projects, Haymarket, paragraph 1, page 12
"The mission noted that the height of the hotel building (61 m and 17 storeys) was analysed by using the skyline study by Colton & Moggridge"

This should read:

"The mission noted that the height of the hotel building (61 m and 17 storeys) was analysed by using the skyline study by Colvin & Moggridge"

7. Section 5, Conclusions and recommendations, paragraph 8, page 16

"The mission commended the authorities for the skyline study by Colton and Moggridge ..."

This should read:

"The mission commended the authorities for the skyline study by Colvin and Moggridge ..."
