



# Harrogate District Sites and Policies DPD:

Rationale for the Studley Royal, including the ruins of Fountains Abbey, World Heritage Site Buffer Zone

Prepared by the National Trust and English Heritage


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# **RATIONALE FOR THE STUDLEY ROYAL, INCLUDING THE RUINS OF FOUNTAINS ABBEY, WORLD HERITAGE SITE BUFFER ZONE**

## **Prepared by the National Trust and English Heritage**

### **1.0 INTRODUCTION**

- 1.1 Although the area within the boundary of the World Heritage Site is unlikely to be subject to development proposals which adversely impact upon its outstanding universal value (due to the fact that it is wholly managed by the National Trust), outside the designated area, however, there are a number of developments which could, potentially, threaten its outstanding universal value. For example large scale or poorly sited renewable energy schemes, some agricultural developments, and inappropriately sited buildings could harm its setting or key views into and out of the designated area.
- 1.2 The Operational Guidelines for the Implementation of the World Heritage Convention 2008 require the provision of a buffer zone whenever one is necessary to ensure the proper conservation of a World Heritage Site.
- 1.3 Since 2001 there has been a proposal in the World Heritage Site Management Plan for the site to establish a buffer zone for Studley Royal, including the ruins of Fountains Abbey, World Heritage Site.
- 1.4 The following paper sets out the rationale for the establishment of a buffer zone around the World Heritage Site, the international, national and local policy framework and a detailed description of the extent of the buffer zone.
- 1.5 There are two processes to go through in order to create a buffer zone. One is to ensure there are appropriate policies in the Local Plan to give the buffer zone, and therefore the outstanding universal value of the World Heritage Site itself, a level of protection. The other is for UNESCO World heritage Committee to approve the buffer zone. The Studley Royal, including the ruins of Fountains Abbey, World Heritage Site Buffer Zone was approved by the World Heritage Site in July 2012.

### **2.0 BACKGROUND – WHY WE NEED A BUFFER ZONE**

- 2.1 It should be emphasised from the outset that the buffer zone is not a landscape “designation”. Neither is it an area within which is intended to prevent further development taking place. Rather, the purpose of defining a buffer zone is to help inform decision-making.

- 2.2 It should also be noted that the buffer zone does not represent, in spatial terms, the “setting” of the World Heritage Site. Whilst there may be some coincidence between the boundary of the buffer zone and certain areas which contribute to its setting, as the English Heritage Guidance Note *The Protection and Management of World Heritage Sites in England* points out, the setting of most World Heritage Sites will be substantially larger than the area encompassed within its buffer zone. This is the case with Studley Royal/Fountains Abbey. In this particular case, for example, one could argue that the “setting” of the World Heritage Site should extend to the designed landscape at Hackfall which lies well beyond the extent of the buffer zone.
- 2.3 The establishment of a buffer zone together with an appropriate policy framework within the Harrogate District Local Plan would help to ensure that planning decisions around the World Heritage Site fully consider the potential impact which they might have upon those elements which contribute to its outstanding universal value. By this means it helps to ensure that important views and vistas and the wider setting of the World Heritage Site are appropriately managed.
- 2.4 The advantages of identifying a buffer are:-
- (a) For Development Management officers, it provides a simple visual indication of the areas where the impact upon the World Heritage Site may be an issue.
  - (b) For those preparing Local Plans and Sustainability Appraisals, it would help identify where sites which are being put forward as potential allocations may impact upon the outstanding universal value of the World Heritage Site.
  - (c) For developers, it would help them develop proposals and suggest mitigation measures which minimise the adverse impact upon the World Heritage Site
  - (d) For neighbouring landowners and communities it provides opportunity for partnership working to manage the area and develop projects to conserve the outstanding universal value of the World Heritage Site.
- 2.5 The identification of a buffer helps to provide increased “certainty” for those involved in managing change in the areas around the World Heritage Site.
- 2.6 There is, in addition, a further reason why a buffer zone is required around this particular World Heritage Site. The current boundaries of the World Heritage Site largely reflect its ownership. When the World Heritage Site was first designated, ICOMOS UK and UNESCO recognised that there were other areas outside its boundaries which should be investigated for inclusion at a

later date and made it clear that, in future years, English Heritage and the National Trust should seek the inclusion of those areas that were part of Studley Royal working estate within the World Heritage Site. The buffer zone will help to ensure that development proposals do not prejudice the preservation of those areas that may be suitable for inclusion in the World Heritage Site.

### **3.0 POLICY FRAMEWORK**

#### **International guidance**

##### ***Operational Guidelines for the Implementation of the World Heritage Convention 2008, UNESCO (para 103-107)***

- 3.1 The Operational Guidelines aim to help implement the World Heritage Convention and set out the procedures for protecting and conserving World Heritage Sites including the provision of buffer zones. The Operational Guidelines require the provision of a 'buffer zone' whenever one is necessary to ensure the proper conservation of the World Heritage Site. A buffer zone is defined as an area surrounding the site which has restrictions placed on its use and development to give an added layer of protection. This should include the immediate setting of the World Heritage Site, important views and other areas or attributes that are functionally important as a support to the property and its protection. Any buffer zone should be approved by the World Heritage Committee.

##### ***ICOMOS Guidelines for the Definition of Boundaries for Candidate World Heritage Sites***

- 3.2 ICOMOS are the Advisory Body on cultural World Heritage Sites and have developed a set of guidelines for defining the boundaries for candidate World Heritage Sites and make specific reference to buffer zones. The essential prerequisite of any buffer zone is that it must protect the outstanding universal value of the site in question. Any definition of boundaries is based on as full as possible an understanding and description of the site. The decision on whether there should be a buffer zone will depend on the extent to which events outside the boundary of the World Heritage Site can impact adversely (generally visually or environmentally) on the outstanding universal value of the site itself.
- 3.3 The nature, size and shape of the buffer zone should as far as possible follow existing (or proposed) statutory and other formal designations or administrative boundaries. Proposals should take account of ownership and the eventual requirements for consultation. In defining buffer zones, the Planning Authority must review planning provisions to give effect to them.

## National Policy

### *Circular on the Protection of World Heritage Sites 07/2009*

- 3.4 The Circular provides updated policy guidance on the level of protection and management required for World Heritage Sites. The Circular sets out a requirement for policy frameworks at all levels to recognise the need to protect the outstanding universal value of World Heritage Sites. The most effective way to protect World Heritage Sites is through the inclusion of appropriate policies in planning documents including core strategies and through management plans.
- 3.5 Policies for the protection and sustainable use of a particular World Heritage Site should apply both to the site itself and as appropriate, to its setting, including any buffer zone. World Heritage Site status is a key material consideration, and policies to protect and enhance World Heritage Sites should aim to satisfy the following principles:
- Protecting the World Heritage Site and its setting, including any buffer zone, from inappropriate development
  - Strike a balance between the needs of conservation, biodiversity, access, the interests of the local community and the sustainable economic use of the World Heritage Site in its setting.
  - Protect the World Heritage Site from relatively minor changes which on a cumulative basis could have a significant effect.
  - Protect the World Heritage Site from climate change but ensure that mitigation is not at the expense of authenticity or integrity.
- 3.6 In developing plans for the protection of World Heritage Sites it is important to consider how to protect the setting of each World Heritage Site so that its outstanding universal value is not adversely affected by inappropriate change or development. Additional policies may also be needed to protect the setting beyond the buffer zone. The Circular advises that the Statement of Outstanding Universal Value is a critical resource for local planning authorities in plan-making and reaching decisions relating to the significance of World Heritage Site.
- 3.7 To establish a buffer zone after a site is inscribed, as at Studley Royal World Heritage Site, any proposal will have to be agreed by the DCMS and submitted to the World Heritage Committee for approval. Appropriate policies on buffer zones must be adopted by the planning authority.

### ***'The Protection and Management of World Heritage Sites in England – EH Guidance Note to Circular for England on the Protection of World Heritage Sites'***

- 3.8 It is essential that policies are included in the Core Strategy complemented by a variety of other documents such as area action plans (AAP) and

supplementary planning documents (SPD). It is essential that AAP and SPD are directly related to a policy in the development plan. World Heritage Sites and their buffer zones should be clearly identified in Local Plan maps. Buffer zones can differ from the setting of a World Heritage Site which may often be much larger. Changes to the World Heritage Site and their buffer zones can only be made by the UNESCO World Heritage Committee following submission of a proposal of the national government. While buffer zones are not part of the World Heritage Site, the Committee still wishes to approve such proposals.

### ***National Planning Policy Framework***

- 3.9 National policy is set out in the recently published National Planning Policy Framework (2012). The NPPF is a material consideration which must be taken into account in drawing up plans and in development management decisions. World Heritage Sites are identified in the NPPF as designated heritage asset of the highest significance where the greatest weight should be given to their conservation and where substantial harm or loss should be wholly exceptional. Its significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Local Planning authorities should look for opportunities for new development within World Heritage Sites and its setting to enhance or better reveal their significance.

### **Non-Statutory Plans**

#### ***World Heritage Site Management Plan***

- 3.10 The definition of a buffer zone has been included as a key action in the World Heritage Site Management Plan 2002-2009 and the recently published Management Plan 2009-2014.

## **4.0 METHODOLOGY FOR DEFINING THE BUFFER ZONE**

- 4.1 The need to define a buffer zone around the designated World Heritage Site has been recognised by all signatories to the World Heritage Site Management Plan since 2002. Development of a suitable proposal was identified as an action under the 2002-2009 Plan (Action F2), to be undertaken by English Heritage, Harrogate Borough Council (HBC) and National Trust working in collaboration. As no progress had been made the buffer zone was again identified as an action in the 2009-2014 World Heritage Site Management Plan (Action E2 and E3).
- 4.2 The National Trust's Territory Archaeologist and English Heritage's Inspector of Ancient Monuments examined the visual envelope of the designated site

in the context of known archaeological and historical significances. Harrogate Borough Council requested that the boundary line run along recognised physical boundaries rather than topographic features (such as the crests of ridges).

4.3 In producing a candidate boundary the following principles were adopted:

a) It was recognised that both of the key historic entities – the Cistercian abbey of St Mary of Fountains, and the Aislabie family’s Studley Royal Estate – held enormous landed estates beyond (but often adjoining) the World Heritage Site boundaries, frequently containing significant archaeological remains. There were grounds to consider greatly extending the boundaries to encompass much more of these lands. However, it was agreed that the World Heritage Site Inscription was most directly concerned with the Aislabies’ designed landscape and the enclosed precinct of Fountains Abbey. The buffer therefore sought to include outlying parts of the designed landscape and precinct (and their visual settings) where these had not been included in the 1986 boundary.

b) The buffer area would also primarily aim to protect the visual setting of the designated World Heritage Site and those components of the monastic precinct and Aislabie designed landscape that current research now suggests should have been included in the World Heritage Site boundary.

c) A third issue affecting the candidate boundary arose from understanding of visual envelopes. In general, the visual envelope is very tightly drawn with three significant exceptions. The first of these is the narrow, but critical, vista line from the main deer park avenue east to Ripon Cathedral and then beyond to Blois Hall Farm, crossing the city of Ripon. The second and third exceptions arise from the wide-sweep external vistas, obtained from the eastern side of the park (especially Gillet Hill) over the Vale of York to the North York Moors beyond, and from the summit of How Hill stretching to Selby and beyond. These views were key to the Aislabie design, but extend over areas too large to be contained within a buffer boundary. Their significance should, though, be recognised elsewhere in the planning system.

## **5.0 KEY ATTRIBUTES**

5.1 As described above, the candidate boundary aims to produce as tight a line as possible to

a) protect the visual setting of the monastic precinct and Aislabie designed landscape at Studley Royal.

b) respect the integrity of the Aislabie designed landscape including the visual setting (contrasting with the agrarian setting) where this was visible from within the bounds of the designed landscape.

c) It does not seek to specifically include the whole suite of archaeological features associated with Fountains Abbey, although one section of the boundary is affected by protected archaeology associated with the abbey.

## **6.0 DESCRIPTION OF THE BOUNDARY**

### **i) Galphay Bridge to Lime Kiln Wood**

6.1 The northern extent of the boundary, at Galphay Bridge, marks the point where the Aislabie route to Hackfall left the environs of Studley Royal. Historically, the estate owned Galphay Mill on the other side of the river; this is not recorded as a Picturesque detail in any surviving account, but may have functioned as such (which if proven would argue for an extension of the boundary in this direction). The line initially follows the Studley Roger Parish boundary and road for administrative convenience, although its line also marks the limits of viewshed up the significant vista through Lindrick (framed, from within the park, by the Lindrick Gate). It then continues to follow the parish boundary along the slope crest marking the viewshed of the park to the north, running east to include Lime Kiln Wood. The planting of this wood today forms a valued component of the visual envelope, although it seems to be a post-1850 planting.

### **ii) "Duck House"**

6.2 The boundary next follows the B6265 to Bishopton bridge before turning SE to Mill Farm and continuing up the Skell to Hell Wath. This section effectively encloses the eastern side of the Duck House landholding. Historically this was owned and managed by the Studley Royal estate, but relatively little else is currently known of its developmental history, which probably owes more to its nineteenth century owners than it does to John and William Aislabie. By the 1830s, the estate's owner had a private drive from the park entrance to Bishopton Bridge through this land (marked today by lodge buildings). Its primary significance to the buffer zone today, though, is visual. This area formed the foreground of the designed views out of the park, seen along the main vista and Oak Avenue, as well as from the Belvedere on Gillet Hill, and more generally from the eastern park over the ha-ha'd section of park wall. Its character has been significantly affected (adversely as far as the original design is concerned) by tree planting in recent years.

6.3 The river forms a sensible boundary here as the limit of Aislabie designed landscape work. Modern development and riverside planting limit

significance further to the east or north, with the exception of the vista through to the Ripon Cathedral.

iii) Hell Wath to Mackershaw Trough

- 6.4 The boundary follows the side of the Skell valley to join and follow Whitcliffe lane southwards. This takes in the banks of the Skell, which were part of the Aislabie design, with walks through at least as far downstream as Marl White Wood. Fortuitously, Whitcliffe Lane marks the visual envelope as seen from inside the property (except from the summit of Gillett Hill) in this direction. The main route through Mackershaw Trough exited the estate onto the lane (providing potential access to Ripon) and it also marked the southern limit of woodland planting at Mackershaw, indicating that it was an original boundary to the designed landscape at this point.

iv) Mackershaw Trough to How Hill

- 6.5 In this section, Whitcliffe Lane marks both the limit of the viewshed into and out of the World Heritage Site and a clear landscape feature to form the southern limit of the buffer zone. The lane bisects the well documented agrarian holding of the abbey, but this was not a material consideration for present purposes. For part of this section the designed landscape had a clear boundary further to the north in the form of the park wall at Mackershaw, but even this benefited from the backing of the woodland between it and the lane. To the west of this point, the agrarian fields themselves formed the backdrop to views out of the Skell Valley.

v) How Hill and Fountains Park

- 6.6 The boundary follows field margins around the skirt of How Hill, which can now be clearly seen as an outlying element of the Aislabie designed landscape. Since 1986 it has been discovered that the Tower originated as the first building of the Water Gardens (predating any others by around a decade) operating as an eyecatcher for the vista line along the main canal. While the whole of the hill's enclosure was managed as the setting for this building, it does not appear to have been linked to the main gardens by designed landscape, the contrast offered by intervening agrarian usage clearly being part of the intended aesthetic effect. The physical mass of the hill forms the south-western limit of the main viewshed.
- 6.7 To the south-west of How Hill, the boundary follows the outline of the Scheduled Ancient Monument of the wall of the abbey's hunting ground of Fountains Park. There are views into this area from within the main World Heritage Site, and it is this rather than the administrative lead of the protected archaeology that suggests this boundary.

vi) Sawley Lane/Spa Gill

- 6.8 From Fountains Park, the boundary turns north-west to follow the southern crest of Spa Gill. The boundary both follows the visual envelope of the core areas of the World Heritage Site and also the edge of a short lived but significant extension of the designed landscape along Spa Gill. Only part of the valley fell into Aislabie hands, the rest belonging to Lord Grantham, though pleasant rides through the whole were apparently possible.

vii) Horsley Gate to the River Laver

- 6.9 This section of boundary follows a stream course and present woodland boundaries to connect with section viii). The buffer zone was extended beyond the visual envelope in this area to completely include Aldfield Parish and follows the parish boundary. This approach follows guidance that advises buffer zones fit in with existing designations or clear physical boundaries.

viii) Ings Bridge to Galphay Bridge

- 6.10 This section follows the river Laver at the foot of the steep north-west facing valley side of the river. This line extends outside the visual envelope of the core property, as research has shown that William Aislabie managed the wooded slopes as a third section of designed landscape, on the route from Studley Royal to Hackfall. The Jeffery's map of 1775 shows woodland dissected by meandering paths on the east bank of the Laver, while another source mentions a timber bridge - possibly either Ings or Galphay, but more likely a private one, between the two. In reality the designed landscape here would have integrally included the views north and west out into the agrarian landscape, but given how little we know about the details of the design, it is impossible to put at western boundary on the relevant viewshed, the river itself being the more justifiable boundary.

viii) Vista to Ripon Cathedral and Blois Hall Farm

- 6.11 The elongated section of the buffer zone sets out the crucial vista from the park to Ripon Cathedral and on to Blois Hall Farm. The vista was part of the early landscape phase of the deer park at the end of the 17<sup>th</sup> century. Framed by Studley Gate and a formal lime avenue, the vista extends outside the boundary to Ripon Cathedral and then beyond to Blois Hall Farm. Protection of this view is critical to the protection of the outstanding universal value of the site.

## **7.0 PROCESS AND TIMETABLE**

- 7.1 There are two processes to go through in creating a buffer zone:-
- Adoption of appropriate policies and identification of the buffer zone on the Proposals Map in the Local Plan which gives the buffer zone, and therefore

- the outstanding universal value of the World Heritage Site itself, a level of protection; and
- Approval of the buffer zone by the UNESCO World Heritage Committee.
- 7.2 Following discussions with Harrogate Borough Council it was agreed to identify the buffer zone on the Proposals Map and include policies for protecting the WHS, the buffer zone and the wider setting in the Sites and Policies Development Plan Document. Public consultation took place in September 2011 for 8 weeks and again on a revised boundary of the Buffer Zone in April 2012 for 6 weeks as part of ongoing public and stakeholder consultation on the Development Plan Document. Publication stage of the Sites and Policies Development Plan Document will take place in May 2013 which will involve an additional public and stakeholder consultation.
- 7.3 Harrogate Borough Council is intending to hold the Public Examination on the Development Plan Document in spring 2014 and looking at adoption of the Plan in summer 2014.
- 7.4 Buffer zones also have to be approved by the World Heritage Committee. The creation of a buffer zone following inscription is normally regarded by the Committee as a minor modification. The process is set out in the World Heritage Operational Guidelines as follows:
- 7.5 'If a State Party wishes to request a minor modification to the boundaries of a property already on the World Heritage List, it shall submit this by 1 February to the Committee through the Secretariat, which will seek the advice of the relevant Advisory Bodies. The Committee can approve such modifications, or may consider that the modification to the boundary is sufficiently important to constitute an extension of the property, in which case the procedure for new nominations will apply'.
- 7.6 The Buffer Zone was submitted to the World Heritage Committee in February 2012 following the September 2011 public consultation of the Development Plan Document. The World Heritage Committee approved the proposed Buffer Zone for Studley Royal Park, including the Ruins of Fountains Abbey, World Heritage Site on 14<sup>th</sup> March 2012.

## **8.0 CONCLUSIONS**

- 8.1 In conclusion, the current international and national policy framework and guidance support the requirement for buffer zones where they are necessary to ensure the conservation of the World Heritage Site. There is also a clear commitment to a buffer zone within the current World Heritage Site Management Plan. It is clear that developments outside the tightly drawn boundary of the World Heritage Site can impact adversely on the outstanding universal value of the site itself. The buffer zone boundary is therefore primarily aimed at protecting the visual setting of the World Heritage Site and

those components of the monastic precinct and Aislalie designed landscape that current research suggests should have been included in the World Heritage Site boundary. The buffer zone also seeks to protect the vista line from the main deer park avenue east to Ripon Cathedral and beyond to Blois Hill Farm.