

Save Stonehenge World Heritage Site Press Release

Legal proceedings initiated on Stonehenge road scheme

For Immediate Release: Saturday, 26 August, 2023

Save Stonehenge World Heritage Site (SSWHS) [1] has launched a legal challenge of the Government's approval of the A303 Stonehenge dual carriageway through the World Heritage Site for a second time this week [2]. SSWHS has filed the claim with the High Court this week [3].

This comes not long after the second anniversary of the quashing of the original development consent by the High Court after a successful application for judicial review was made by SSWHS in 2021 [4]. The Government's approval flies in the face of opposition from UNESCO [5] and the recommendation for refusal of the scheme by five of the Government's own independent planning inspectors [6].

UNESCO had asked the Government not to approve the scheme ahead of its World Heritage Committee meeting in September. However, the Government rushed out the decision ahead of the Somerset and Frome by-election (not that it did it much good), ignoring the request and concerns about the site being de-listed.

John Adams, one of the 3 directors of SSWHS and chair of the Stonehenge Alliance, said:

“The Government appears both blind and deaf to concerns about the damage it will perpetrate on this historic and much-loved landscape. It has ignored concerns raised by UNESCO and seems hell bent on bulldozing this scheme through before it gets thrown out of Government. We believe we have no choice but to launch a second legal challenge in the face of such belligerence.”

Tom Holland, historian and president of the Stonehenge Alliance said:

“The Government is neglecting its duty of care to a landscape that is not just a precious part of Britain's cultural patrimony, but the world's. Nothing can justify such vandalism. I welcome this action, as a chance to halt a development that, if allowed to go ahead, will permanently and irreversibly desecrate the Stonehenge landscape.”

Leigh Day solicitor Rowan Smith said:

“Our client is shocked that the Government appears not to have learnt from its mistakes and has repeated the decision to grant development consent for the Stonehenge road scheme. Again the decision appears to have been made on an unlawful basis. Our client will argue that the failure to reopen the public examination a second time round was unfair and also a breach of human rights. We hope the Court will grant our client permission for a full hearing.”

SSWHS launched a crowdfunder on the CrowdJustice website to fund the legal action shortly after the Government announced its decision. It has already raised nearly £50,000 but needs to raise a total nearer to £80,000 [7].

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Notes to editors:

[1] Save Stonehenge World Heritage Site is a limited company set up by three individuals closely associated with the Stonehenge Alliance to specifically challenge the original [Government decision](#) on 12 November 2020 to approve National Highways' damaging scheme.

[2] The Government published its [second decision letter](#) on Friday, 14 July, six days before the Somerset and Frome by-election.

[3] SSWHS is represented by Leigh Day and barristers David Wolfe KC (Matrix), Victoria Hutton and Stephanie David (39 Essex). It argued in its PAP letter that the granting of development consent was unlawful on the following grounds:

- Given recent developments and key new evidence, it was procedurally unfair for the Secretary of State not to subject the re-determination to a full public re-examination
- It was irrational for the Secretary of State to give no weight to the risk that the scheme would result in Stonehenge having its World Heritage Status removed
- The Secretary of State failed to consider diverting the road around the Stonehenge site, despite such an alternative having a far lower impact in heritage terms
- The Secretary of State failed to properly assess the scheme's climate change impact, owing to:
 - applying roads policy which pre-dated the Net Zero target
 - treating the draft new roads policy as immaterial
 - ignoring the new national net zero strategy
 - assessing emissions from this scheme alone, without factoring in the emission from the whole A303/A358 corridor upgrade in the south west peninsular
 - ignoring climate change adaptation

[4] The [judgement](#) was handed down by Mr Justice Holgate on 30 July 2021.

[5] UNESCO has long expressed its concern about National Highways' proposals. See annexure G in the [Final Report](#) on the joint World Heritage Centre / ICOMOS / ICCROM Advisory Mission to Stonehenge, Avebury and Associated Sites (April 2022)

[6] Five planning inspectors oversaw the 6 month public examination from 2 April to 2 October 2019 and gave their [recommendation](#) to refuse the application to the Government on 2 January, 2020, over 3 and half years ago.

[7] The [CrowdJustice page](#) was launched on Friday, 28 July, 2023