



**SEKRETARZ STANU
W MINISTERSTWIE KULTURY
I DZIEDZICTWA NARODOWEGO**
GENERALNY KONSERWATOR ZABYTKÓW

Piotr Żuchowski

Warsaw, 2nd February, 2015
NID-M/603/82/15/BF

Kishore Rao
Director
The World Heritage Centre

Subject: State of conservation of the Historic Centre of Warsaw, the UNESCO World Heritage property (C30)

Dear Sir,

I would like to submit the report on the state of conservation of the Historic Centre of Warsaw, the UNESCO World Heritage property. This document supplements the previous report and contains information on the progress of works on the implementation of the recommendations included in the report of the ICOMOS expert of 2013, and other issues related to protection of the Outstanding Universal Value of the site.

At the same time, I would like to express my gratitude for help in the organisation of advisory mission of the ICOMOS expert. The resulting report includes recommendations which are particularly helpful both for those managing the UNESCO World Heritage property, and monuments conservation office protecting the property.

Hoping for further cooperation with the UNESCO World Heritage Centre, I would like to assure you that the Government of the Republic of Poland is committed to maintain the Outstanding Universal Value of the World Heritage property, and to leave it to the next generations in the best possible condition.

Please accept the assurances of my high consideration,

Attachment:

1. The report on the state of conservation of the Historic Centre of Warsaw, the UNESCO World Heritage property

CC:

1. Permanent Delegation of the Republic of Poland to UNESCO
2. Polish National Commission for UNESCO
3. Monuments Preservation Department, the Ministry of Culture and National Heritage

The report on the UNESCO World Heritage property Historic Centre of Warsaw (Poland) (Ref. C 30)

The report supplements the report of 31 January 2014, and includes information on progress of works on the implementation of the recommendations given by the advisory mission in the ICOMOS expert report, the reply to the comments of ICOMOS to the Management Plan, and other issues related to preservation of the Outstanding Universal Value of the UNESCO World Heritage property.

Previous report sent to the UNESCO World Heritage Centre contained information on the new investment started in the vicinity of the World Heritage property, and the threat which it can pose to the Outstanding Universal Value of the property. The document did not refer to the report of ICOMOS expert from advisory mission, which took place in Warsaw on 19-21 December 2013 at an invitation of the General Monuments Inspector, the Secretary of State in the Ministry of Culture and National Heritage, due to the fact that the State Party received it on 18 March 2014. The report on ICOMOS advisory mission was sent to the World Heritage Centre on 28 April 2014 with a letter no. NID-M/3347/475/14/BF.

I. Recommendations contained in the report of the ICOMOS expert from advisory mission

1. Investment located at the intersection of Senatorska/Miodowa/Podwale streets

Recommendations included in the report of ICOMOS expert on the investment in question in Warsaw, at the intersection of Senatorska/Miodowa/Podwale streets, were related primarily to the structure and appearance of the designed building (redesigning the facade from Senatorska/Miodowa/Podwale streets, changing facade's colour and material, lowering the ridge of roofs and reducing their slope) to appropriately integrate the new building in the context of urban buildings.

The investor, Senatorska Investment Company, has responded to the recommendations of the ICOMOS expert, and prepared modifications to the project of the building, which were consulted with the Warsaw Municipal Office for Heritage Protection. Detailed information on this subject, including a list of changes to the project, photographs taken at the construction site, and visualisations of the newly erected building were sent by the investor, on his own initiative, to the World Heritage Centre with a letter of 21 July 2014 (see Appendix 1).

Corrections to the investment project in question have been developed in the course of negotiations between the investor and the Warsaw Municipal Office for Heritage Protection, who pursuant to appropriate agreement with the Mazowieckie Province Governor conducts some cases related to activities of the Mazovian Regional Monuments Inspector in the area of the capital city of Warsaw. They were approved by the Warsaw Municipal Office for Heritage Protection under the decision with permission for construction work no. 270N/12 of

23 February 2013, (letter of the Warsaw Municipal Office for Heritage Protection to the investor no. KZ-IIUA.4120.525.2014.ASZ (4) of 10 June 2014).

The proposed changes aim at integration and harmonious incorporation of the newly erected building into adjacent buildings of the Old Town. The ridge of the roof was lowered by 30 cm, not by at least 2 m, as it was recommended by the expert. Also, the slope of the roofs was not reduced, from ca. 49 degrees, planned by the investor, to a maximum of ca. 40 degrees. More changes would result in the need for new building permits. Recommendations to change facade design to massive plastered masonry were not taken into account, it was only changed the colour of panels on the ground floor. The planned function of the new building was not changed as well – large office spaces in the vicinity of the Old Town, originally planned to be a residential area in Warsaw.

Due to the fact that the advisory mission took place during already started, approved construction process, the investor was not able to meet all the demands and as a compromise the project was changed only in a limited scope, so that the investment still satisfied conditions of previously obtained building permits. Proposed corrections in the project - lowering the roofs' ridges of corner facades, altering roof and facade colour, changing used materials (cladding of facade and railing at the windows) and refining architectural detail have positively influenced the appearance of the new building.

2. Other recommendations of the ICOMOS expert

The manager of the UNESCO World Heritage property, the Municipal Office of the capital city of Warsaw, responded to the recommendations of the ICOMOS expert. The reply was sent with a letter no DYR.1527.2014 (see Appendix 2).

The manager of the World Heritage property aims to gradually manage issues related to the conservation and management of the property. This is a positive fact, visible in the directions of spatial policy for the property, through endeavouring to protect the whole property's area and its buffer zone in local spatial development plans.

The task is a statutory responsibility of the local government. Monument protection authorities are obliged to issue statutorily required conservation requests to the *Study of the condition and directions of spatial development* of commune and the local spatial development plan, aiming to help commune government in their duty to introduce to planning documents the principles of protecting the value of historic buildings and areas to the extent required for the proper conservation and preservation of monuments as part of the study.

Recommendations related to entering into the register of monuments all buildings within the World Heritage property, as well as information on the approved boundary of the buffer zone, and related recommendations for local spatial development plans included in the decision 38COM 8B.54 have been passed to the Mazovian Regional Monuments Inspector, the competent organ in the matter.

It should be emphasized the positive reception of expert's recommendations, which relate not only to the investment in question at Senatorska/Miodowa/Podwale streets, but are also focused on the whole World Heritage property together with the buffer zone, its preservation and spatial context. The Municipal Monuments Protection Office has repeatedly referred to the recommendations included in the expert's report while making his decision on, for example, development prohibition for plots in the area of the property.

II. Other issues related to protection of the Outstanding Universal Value of the Property.

1. The Retrospective Statement of Outstanding Universal Value

With the decision 38 COM 8E the World Heritage Committee adopted the Retrospective Statement of Outstanding Universal Value for the Historic Centre of Warsaw, a World Heritage property.

The property manager, all interested parties, as well as conservation authorities received the content of the decision together with the Retrospective Statement of Outstanding Universal Value, and have been informed that this document determines the requirements related to conservation and management of the property, whose goal is to protect its Outstanding Universal Value, and constitutes the basis of monitoring and periodic reporting, whereas the provisions contained therein are a point of reference for any conservation and investment work within the entire property inscribed on the UNESCO World Heritage List, and in its vicinity.

Following the recommendations included in the decision, in November 2014 the State Party sent French version of the Retrospective Statement of Outstanding Universal Value to the World Heritage Centre (letter no. NID-M/9557/1312/14/BF).

2. Management plan of the UNESCO World Heritage property

The Mayor of the capital city of Warsaw, in the regulation no. 4100/2013 of 4 April 2013, appointed the Commissioner for UNESCO World Heritage management, whose main task is to implement Management Plan of the Historic Centre of Warsaw, a site inscribed on the World Heritage List, and its buffer zone.

The comments of ICOMOS concerning the Management Plan have been sent to the State Party on 6 December 2013, and then transferred to the property manager on 16 December 2013.

Currently, the project of Management Plan is supplemented according to the ICOMOS comments. Works on the document are planned till first half of 2015. Then, in the second half of the year, the plan will be subject to expert and public consultation, and afterwards it will be approved in a resolution of the City Council.

a/ UNESCO World Heritage property

In accordance with the ICOMOS recommendations, the Management Plan includes the Statement of Outstanding Universal Value for the Historic Centre of Warsaw (Decision no. 38 COM 8E), which defines values and object of protection, whereas the provisions contained therein are a point of reference for any conservation and investment work within the entire area of inscription on the UNESCO World Heritage List and in its vicinity.

The current *Study of the condition and directions of spatial development for the capital city of Warsaw*, which in Polish legislation is a planning document that defines the spatial development policy of a commune for its entire area, contains provisions on the protection of the Historic Centre of Warsaw, the World Heritage property.

By the Resolution no. XCII/2346/2014 of the City Council of 16 October 2014 the *Study* was supplemented with information on inscription the Historic Centre of Warsaw on UNESCO World Heritage List, description of criteria, and the boundaries of the property.¹

The *Study* also indicates that inscription the Historic Centre of Warsaw on the List is considered to be a strong point in promotion of the city: "Warsaw is 1 of 3 cities in Poland, whose historical *centre* has been entered into the World Heritage List, a prestigious and promoting entry of great importance, which brings to attention the need to undertake decisive actions to protect its monuments."²

In the *Study* there are also formulated the principles of area protection related to spatial planning³, on which conservation recommendations for the local spatial development plan must be based, with the indication that protection of the value of historic places requires respecting the following principles of reconstruction of the Old Town:

- “ – an absolute preservation and conservation of the original relics from before restoration, and historical substance formed during the post-war reconstruction,
- preservation and conservation of historic urban layout, including preservation of all urban parameters of the buildings, location of squares and streets with preserved course, cross-sections, dividing lines and building lines, parcel divisions and composition of greenery forms,
- preservation of spatial layout and control over greenery shaping the historic silhouette of the city (panorama of the city),
- upward extension of existing buildings is unacceptable, possible outward extensions cannot interfere with the fundamental structure of the urban layout, principles of city reconstruction are binding”⁴.

Preparing the *Study of the condition and directions of spatial development for the capital city of Warsaw* is municipality's own mandatory task, and even though it does not constitute the local law, it is a binding document in relation to local spatial development plans, which constitute the law.

In accordance with the ICOMOS recommendations, works have been commenced on the local spatial development plan for the area of the Old City (the Resolution of the City Council no. XCII/2354/2014 of 16 October 2014). Territorial scope of the local plan covers the entire area of the World Heritage property (see Appendix 3).

At the same time, the Warsaw Municipal Office for Heritage Protection has started works on the development of detailed conservation recommendations which will be included in the provisions of the mentioned document. Works on the recommendations are to be completed by the end of 2015.

The project of the local spatial development plan should be ready at the beginning of 2016. Then, it must be approved by the Mazovian Regional Monuments Inspector (state monument protection authority) in terms of shaping of building development and land development. Afterwards it will be subjected to public consultation and enact process, which lasts for approximately 2 years.

¹ Study of the condition and directions of spatial development for the capital city of Warsaw, part I. Spatial development conditions of the capital city of Warsaw, p.26-27.

² Study, part I, p. 31.

³ Study, part II. Directions of the spatial development policy of the capital city of Warsaw, p. 118.

⁴ Study, part II, p. 118.

b/ buffer zone

The World Heritage Committee approved the buffer zone boundaries of the World Heritage property with the decision 38COM 8B.54. At the same time the Committee has recommended that as a matter of urgency the whole area of the buffer zone should be covered with spatial development plans aimed at ensuring protection of the property, and has provided requirements which should be included in the local spatial development plans. The Committee has also ordered that the report on the state of conservation of the property, including progress of implementation of the Committee's recommendations should be submitted by 1 February 2016.

By means of the Resolution no. XCII/2346/2014 of 16 October 2014, the City Council of the capital city of Warsaw added to the content of the *Study of the condition and directions of spatial development for the capital city of Warsaw* the decision of the World Heritage Committee approving the buffer zone boundaries of the World Heritage property (38 COM 8B.54) with the following commentary: "The zone is a conservation area designated in order to preserve the UNESCO World Heritage property against external factors which could have negative impact on its value. In the zone, in particular urban and landscape spatial transformations, that could impair the integrity with the UNESCO World Heritage property, are subject to control."⁵

Since the report of 2014 presenting work progress on the development of local spatial development plans for the buffer zone of the World Heritage property, the work has commenced on drafting such documents for two another areas: the Old Town area and Eastern part of Muranów (see Appendix 4).

This is a positive example indicating that the Municipal Office of the capital city of Warsaw, the property manager, despite that being a long-term activity, consequently implements plans aiming to cover the whole area of the buffer zone with local spatial development plans.

Appendices

1. The letter of the Investor, Senatorska Investment Company, of 21 July 2014 to the World Heritage Centre informing about modifications to the project of the new building on the basis of recommendations made by ICOMOS expert.
2. The letter no. DYP.1527.2014 of the manager of UNESCO World Heritage property, the Municipal Office of the capital city of Warsaw, with explanations related to the recommendations concerning the UNESCO World Heritage property included in ICOMOS expert report.
3. Appendix to the Resolution no. XCII/2354/2014 of the Warsaw City Council dated 16.10.2014 on accession to the preparation of local spatial development plan for the Old Town area (containing boundaries of the UNESCO World Heritage property).
4. Map of coverage of buffer zone by local spatial development plans (January 2015)

⁵ Study, part II, p. 118.

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Warsaw, 21 st July 2014

Mr. Kishore Rao
Director
World Heritage Centre

Dear Sir,

In connection with the report prepared by an expert of ICOMOS, Mr Bernhard Furrer, following his visit to Warsaw on 19-21 December 2013, as the developer of the building located at the intersection of Miodowa, Senatorska and Podwale Streets, we would like to advise of the changes we have introduced in the project of the Plac Zamkowy - Business with Heritage office building.

The proposed project changes were discussed with and consequently approved by the City Conservator of Monuments.

In accordance with the recommendations contained in the report concerning a better integration of the building with the historical development background and harmonization with neighbouring buildings while maintaining its modern appearance, the following modifications have been introduced in the project:

- Change of the roof colour from green to ashen-grey to make the roofs seem visually lighter and smaller
- Refine the colour of the façade, which better ties with the building in the farther section of Senatorska Street
- Replace the sandstone at the level of the ground floor with the highest quality conchoidal limestone as its colour is better harmonized with the ambient area and modified shade of the façade
- Replace the glass railings of the first and second floors with traditional ones made of wrought iron, painted in graphite-grey with bronze-colour brass railings to achieve the chiaroscuro effect
- Introduce the colour distinction between the Podwale 1 segment and modern part of the building, allowing for the effect of "smooth transition" between buildings along Podwale Street and the Castle Square - Business with Heritage project

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- Lower the roof ridges in corner façades (on the side of Miodowa Street and the Castle Square) to the maximum possible height of 30 cm. A greater lowering would violate the final and binding permits issued by the administration and conservator to the investor, through procedures which took many years.

We would like to emphasize that even though we have received the report of the ICOMOS Advisory Mission 2 months after it was completed in writing, the investor undertook all possible steps to fulfil and adjust the project in accordance with the recommendations stated in the report. Given that the duration of the construction in the schedule was estimated to take sixteen months, in over three months from the date of ICOMOS expert's visit in Poland – the construction works and construction projects concerning such issues as the security of the structure above the West-East route tunnel reached an advanced stage of execution.

Once again, we would like to express our gratitude to UNESCO for your interest in our project and we hope that thanks to our modifications introduced in the project, the Plac Zamkowy - Business with Heritage building will even better integrate with the urban development of this unique area.

Yours sincerely,



Maksymilian Marcinkowski

President, Senatorska-Investment Sp. z o.o.

CC:

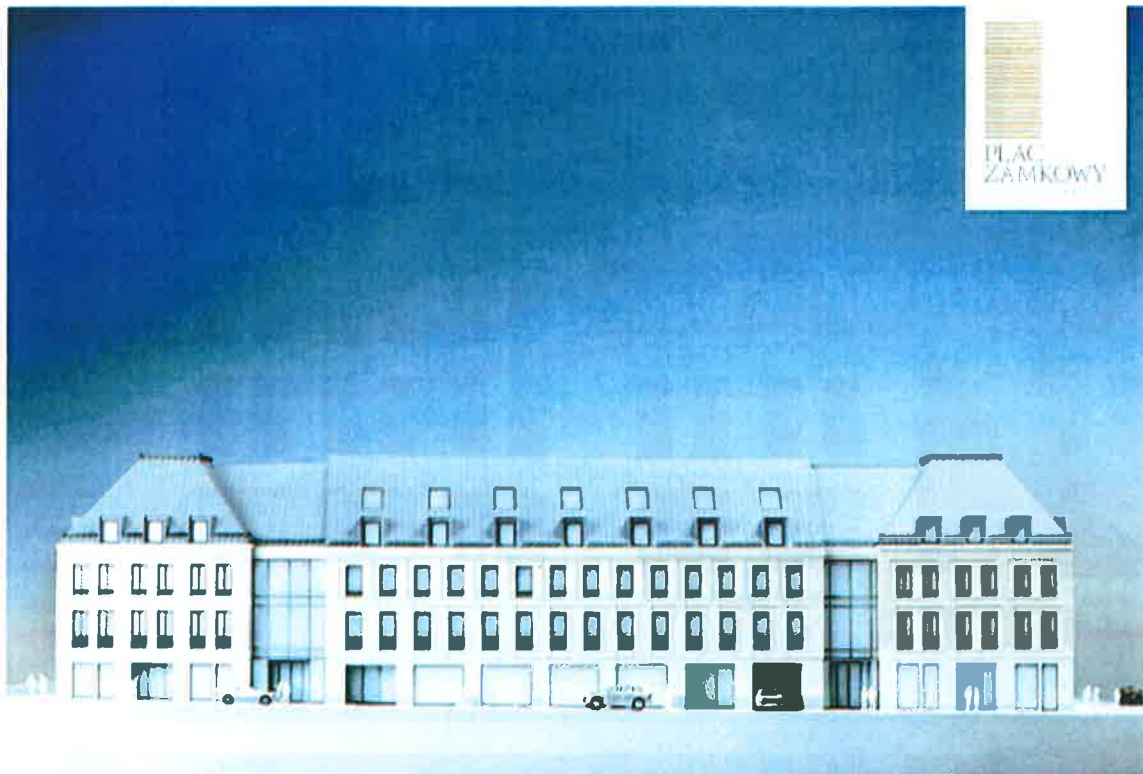
1. Permanent Delegation of the Republic of Poland to UNESCO
2. Polish National Commission for UNESCO
3. Monuments Preservation Department, Ministry of Culture and National Heritage
4. WHC, Unit of Europe and Northern America
5. ICOMOS International

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Attachment no 1- Building's mock- up photographs

Załącznik nr. 1 – Zdjęcia makiety budynku



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Attachment no 2- Investment's site photos 14.07.2014

Załącznik nr. 2 – Zdjęcia z terenu budowy 14.07.2014



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Appendix 2

Reference no.:

Warsaw, June 6, 2014

**Ms Małgorzata Rozbicka, Director
The National Heritage Board of Poland
ul. Kopernika 36/40,
00-924 Warszawa**

Re: The Report on the ICOMOS Advisory Mission to the Historic Centre of Warsaw held on 19-21 December 2013.

Dear Madam,

In reference to the letter of 28 April 2014 (received on May 6, 2014), in the annex I would like to present relevant explanations proposed by the Commissioner for UNESCO World Heritage. Due to temporary absence of the Commissioner, I would like to send you attached text and apologize for delay.

CC:

1. The Office of the Warsaw's Mayor
2. Piotr Brabander, Warsaw Municipal Office for Heritage Protection
3. Marek Miko, the Director of the Office of Architecture and Spatial Planning of the capital city of Warsaw
4. Jacek Dąbrowski, The Director of the Monuments Preservation Department, the Ministry of Culture and National Heritage

EXPLANATIONS TO THE REPORT ON THE ICOMOS ADVISORY MISSION TO HISTORIC
CENTRE OF WARSAW HELD ON 19-21 DECEMBER 2013.

1. Recommendation:

The whole area of the proposed buffer zone should be covered by the spatial development plans. New and existing (possibly to be re-examined) spatial development plans should ensure the visual integrity of the World Heritage Site.

Explanation:

The actions of the capital city of Warsaw aim at covering the whole area of the zone with spatial development plans, which is being systematically done. However, the attention should be paid on the fact that in current legal system this is a long-lasting action. The area of buffer zone was introduced to the project "The study of the condition and directions of spatial development for the capital city of Warsaw", whose arrangements are binding while creating spatial plans. This ensures that all plans will include appropriate provisions for the protection in the buffer zone.

2. Recommendation:

All buildings of the period of reconstruction within the boundary of the World Heritage List should be included in the register of historic monuments. The register of historic monuments should be completed in the buffer zone.

Explanation:

In accordance with Art. 9 of the Act of 23 July, 2003 on the protection of monuments and the guardianship of monuments, immovable monument is routinely included in the register on the basis of the decision issued by the Regional Monuments Inspector (authority on the government level) or at the request of the owner of immovable monument or the perpetual usufructuary of the land, where the immovable monument is located. The aforesaid provision limits the possibilities to implement the recommendations by the capital city of Warsaw.

3. Recommendation:

The structure for consultancy and decision making within the World Heritage property might benefit from being reconsidered to provide greater clarity on overall authority and to allow the consultative body to advise on the management of the World Heritage property, and for coordination and awareness raising within all the structures of municipality, voivodeship, and state.

Explanation:

Part of the recommendation suggesting legal changes in the advisory system and decision-making process for protecting the World Heritage property lies outside the competence of the local government of the capital city of Warsaw. The changes should be prepared on the level of the Ministry of Culture and National Heritage. The management recommendation will be implemented by the Commissioner for UNESCO World Heritage as a part of works related to an update to the Management Plan. The basis for the update will include comments to the Plan submitted by the ICOMOS International Committee, as well as the acceptance document by the World Heritage Committee of the decision on Outstanding Universal Value (Statement of OUV) for the Historic Centre of Warsaw, and the approval of the buffer zone.

4. Recommendation:

In line with the requirements of the paragraph 172 of Operational Guidelines, the State Party should inform the World Heritage Centre of projects within the property and its setting that might impact adversely on the OUV.

Explanation:

While implementing this recommendations, it would be preferable that the Ministry of Culture and National Heritage establishes relevant provisions and clear procedures for who, when, whom, in what circumstances and at what stage of administrative procedure should inform of the implemented projects. The principles should be reflected in the provisions of law.

5. Recommendation:

With the objective to integrate the new commercial building "Plac Zamkowy" adequately into the urban context, its facades on Senatorska, Miodowa and Podwale Streets should be redesigned in terms of construction and appearance with massive plastered masonry instead of the proposed system plates and with a convenient relief creating effects of light and shadow. The top of roofs of the building should be lowered and their slope should be reduced.

Explanation:

The investor, in cooperation with the Warsaw Municipal Office for Heritage Protection , has taken action to implement suggestions contained in the report of the expert.

6. Recommendation:

Within the Historic Centre the use for habitation should be encouraged, also by diminishing the negative impacts of tourism. Adequate regulations should be developed in order to preserve the actual apartments and to ensure the provision of the inhabitants with daily goods.

Explanation:

The Old City was rebuilt as a residential area and preserving such nature of the area is appropriate. Implementation of this recommendation is possible only by placing relevant provisions in the local spatial development plan for the Historical Centre of Warsaw. The works on conservation recommendations to the plan are already in progress.

7. Recommendation:

In the entire Bugaj-area no further building should be accepted, irrespective of its location or its size. It is recommended to develop alternative options in order to recompense former private owners.

Explanation:

In the currently prepared local spatial development plan there will be a provision on absolute prohibition of land development.

8. Recommendation:

Surfacing in the Historic Centre should be repaired and not replaced. Authentic characteristics and materials should be maintained.

Explanation:

The ongoing repair of the surfacing assumes replacement of the underground infrastructure due

to its technical conditions, and insulation of foundational walls of the tenement houses. Existing stone pavement surfaces are not replaced but after previous careful inventory and on its ground they are only rearranged. After public consultation on the project at the request of wheelchairs users, it was decided to place on two selected streets a lane made of smooth stone, so that the World Heritage property would be better accessible for disabled.

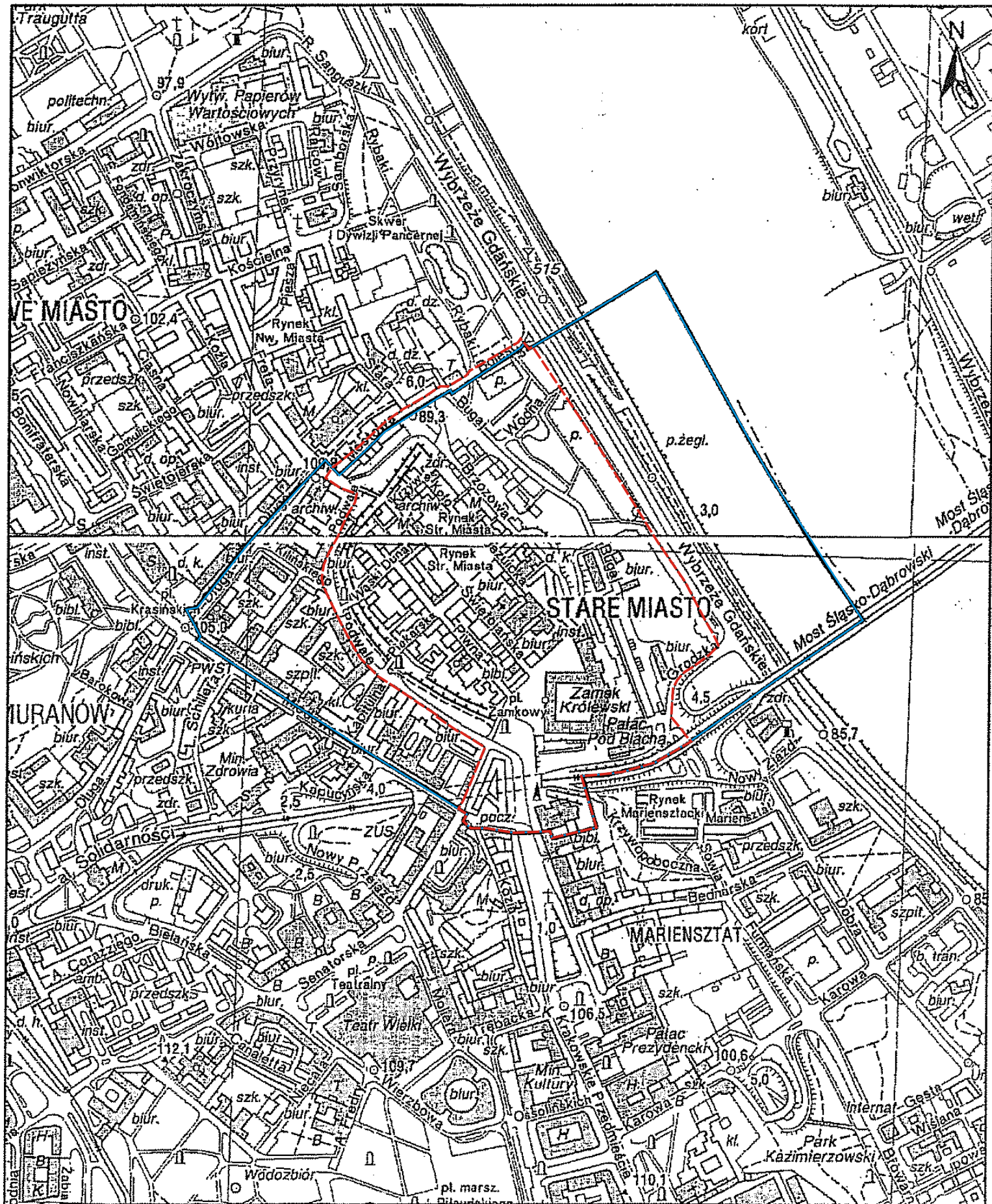
In its present form, the pavements made of concrete slabs are not authentic - in the last 60 years they were repeatedly repaired and filled with random materials. Therefore, it was decided to replace them with stone slabs, which match the nature of the area with colour, shape and size.

9. Recommendation:

Regular maintenance of buildings in the World Heritage property should be encouraged and supported by the competent authorities. Maintenance work should be strictly monitored by the Monuments Protection Office in order to ensure an execution according to the authentic values and the principles of conservation. Special attention should be given to the roofs, the "fifth facade".



Explanation:

The recommendation is being systematically implemented. Every year for 10 years, specific subsidies for funding maintenance works have been granted from the budget of the capital city of Warsaw. A binding decision of the conservation authority forms the basis for performing any works. This applies to the shape and material solutions for roofs. The city actively participates in the process of creating nationwide solutions that support funding of the World Heritage properties.



Appendix to Resolution no. XCII/2354/2014 of Warsaw City Council dated 16.10.2014 on accession to the preparation of local spatial development plan for the Old Town area

Appendix 3

-  Boundary of local spatial development plan for the Old Town area
-  Boundary of UNESCO World Heritage Property

Map of coverage of buffer zone by local spatial development plans (January 2015)

-  World Heritage Property
-  buffer zone of World Heritage Property
- Local spatial development plans - stage of proceedings**
 -  procedure in process
 -  procedure in force
 -  revision of the plan in force
-  district boundary
-  streets
-  water features

