

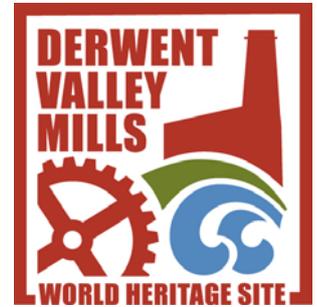
## DERWENT VALLEY MILLS WORLD HERITAGE SITE

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Clare Thornton  
Amber Valley Borough Council  
Town Hall  
Ripley  
Derbyshire DE5 3BT

19th April 2017

Dear Clare

### **AVA/2017/0322: Outline planning permission for development of 185 houses with associated works on land between Crich Lane and Far Laund, Belper.**

Please find below my response to the consultation concerning the above application. These comments will be taken to the World Heritage Site Conservation and Planning Panel for verification in May.

The site lies partly within the Derwent Valley Mills World Heritage Site (DVMWHS) Buffer Zone. The Derwent Valley Mills were inscribed on the World Heritage List by UNESCO in 2001. The Derwent Valley Mills Partnership, on behalf of HM Government, is pledged to conserve the unique and important cultural landscape of the Derwent Valley Mills World Heritage Site; to protect its outstanding universal value (OUV), to interpret and promote its assets; and to enhance its character, appearance and economic well-being in a sustainable manner.

The retrospective Statement of Outstanding Universal Value (SOUV) for the Derwent Valley Mills was adopted by the World Heritage Committee in 2010. The SOUV refers to the following UNESCO criteria, which the World Heritage Committee agreed were met at the time of inscription. They are:

- C(ii) That the site exhibits “an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town planning or landscape design”;
- C(iv) That the site is “an outstanding example of a type of building or architectural or technological ensemble or landscape, which illustrates a significant stage in human history”.

The SOUV records that these criteria were met for the following reasons:

- C(ii) The Derwent Valley saw the birth of the factory system, when new types of building were erected to house the new technology for spinning cotton developed by Richard Arkwright in the late 18<sup>th</sup> century.
- C(iv) In the Derwent Valley for the first time there was large-scale industrial production in a hitherto rural landscape. The need to provide housing and other facilities for workers and managers resulted in the creation of the first modern industrial settlements.

A Management Plan for the World Heritage Site was created in 2002, and updated in 2014. It has as the first of its nine aims to: “protect, conserve and enhance the Outstanding Universal Value of the DVMWHS.” In accordance with this aim, and with reference to Section 12.1 of the Management Plan, I have consulted with Derbyshire County Council’s Conservation, Heritage and Design Service (which advises the World Heritage Site Partnership in planning matters), and received the following advice:

The current application is an amended proposal following the withdrawal of application AVA/2016/0535 (Development of 201 houses on land between Crich Lane and Far Laund, Belper together with associated works). The layout is nominally the same with the any reference to a future phase of residential development, on the fields to the north being omitted, at this time.

The previously requested Visual Impact Assessment has been submitted as part of this application. It confirms that parts of the application site are visible from viewpoints both within the World Heritage Site and the Buffer Zone. The Visual Impact Assessment was considered necessary in order to assess ‘people’s appreciation of the rural setting’ of the World Heritage Site when travelling in and out of the valley, including all highways and footpaths. It was also required to assess the impact on the ‘undeveloped rural setting’ in views from Belper Lane and Whitewell Lane, from within the both the World Heritage Site and its Buffer Zone, on the opposite side of the valley. The application site is clearly identifiable by the mound of Bessalone reservoir and the mast on the crest of the hill. The skyline is clearly devoid of any other development south of Newbridge Road, as it rises up from Ambergate, until the heart of Belper.

Consistent with the previous application, it is still considered that any development, on the upper part of the field, rising up from Crich Lane to the skyline ridge of Bessalone Hill, will be visible from the west side of the valley, depending on the height of the dwellings proposed, and therefore harmful to the rural setting of the World Heritage Site and its Outstanding Universal Value. This approximately equates to development above the footpath that crosses the application site.

Furthermore, development of the upper slopes on the east side of the Bessalone ridge, facing Far Laund, will also be visible from the west, again depending on the height of the proposed dwellings. Despite being outside the Buffer Zone, the visibility of any development would, therefore, be harmful to the rural setting of the World Heritage Site and therefore its Outstanding Universal Value.

From the east, the eastern part of the application site is visible from the 100m contour at Bullsmoor, behind the Vaillant Plant, located within the World Heritage Site Buffer Zone. The existing field pattern, as defined by their field boundaries, is clearly legible below the Bessalone ridge that forms the skyline. These hillside fields frame the twentieth century residential development of Whitemoor, usefully marking the limit of the town by a readable transition from urban to rural character.

Despite the site been partly located within the Buffer Zone, no Heritage Impact Statement is included within the application to consider the impact of the development on the World Heritage Site. At the June 2016 meeting of the ICOMOS-UK World Heritage Committee, it was agreed that the Bessalone reservoir is an Attribute of the DVMWHS, despite being outside the WHS boundary and the Buffer Zone. The reservoir, although largely underground, forms a distinctive shape on the horizon. It was of considerable significance to the continuing urbanisation of the mill town as it provided a piped water supply for the mill town, replacing the street water pumps which the townspeople had to rely upon up to then. It was constructed in the 1890s, funded by the mill owner George Henry Strutt. Given that this attribute lies immediately adjacent to the application site, it would also be appropriate for further study to be encouraged, to allow a better understanding of its contribution to the cultural significance of the World Heritage Site and any potential harm that might be caused by the proposed development. The current application provides no additional information on the reservoir's significance, and any harm to the attribute cannot therefore be assessed.

The inclusion of two separate areas of tree planting should be carefully considered for its appropriateness to its landscape character context.

Given that the application is seeking approval to the submitted layout, the World Heritage Site Partnership must object to the application as elements of the proposal impact on the undeveloped rural setting and consequently, the Outstanding Universal Value of the Derwent Valley Mills World Heritage Site.

I hope these comments can be considered when a decision is made concerning this development.

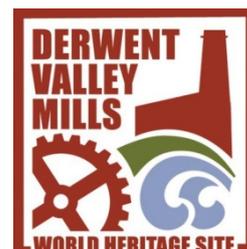
Yours sincerely

A handwritten signature in black ink, appearing to read 'Adrian Farmer'. The signature is written in a cursive, flowing style.

**Adrian Farmer**

Heritage Co-ordinator, Derwent Valley Mills World Heritage Site.  
cc Rachael Coates, AVBC; Eilis Scott, Historic England.

# Planning (Development Control) in the Derwent Valley Mills World Heritage Site



District, Borough and Unitary Councils, as Local Planning Authorities, are responsible for the determination of domestic, commercial and a range of other planning applications that are submitted within their jurisdiction. They are not responsible for determining waste and minerals applications – these are the responsibility of the Minerals and Waste Authority which in the case of the Derwent Valley Mills World Heritage Site (DVMWHS) is Derbyshire County Council or Derby City Council within its administrative boundary.

The District and Borough Planning Authorities travelling north through the DVMWHS are:

- Derby City Council
- Erewash Borough Council
- Amber Valley Borough Council
- Derbyshire Dales District Council

When an application is submitted to a Local Planning Authority (LPA) in the DVMWHS the Authority assesses whether there may be an impact on the Outstanding Universal Value (OUV) of the DVMWHS. OUV is the reason why a site is inscribed (included) on the United Nations Educational, Scientific and Cultural Organisation's (UNESCO's) World Heritage List. Information on the DVMWHS OUV can be found at <http://www.derwentvalleymills.org/derwent-valley-mills-conservation/planning/>

If the LPA feels there will be an impact, or is uncertain, they can refer the application to the DVMWHS Partnership for confirmation, clarification and advice. The DVMWHS Partnership is a non-statutory consultee. This means LPAs are not under any statutory obligation to consult with the DVMWHS Partnership. Notwithstanding this, LPAs do need to show due diligence in an application's determination. If an LPA was found to have failed to follow due process or incorrectly interpreted relevant legislation then a planning decision could be challenged through judicial review.

The DVMWHS Partnership has an agreement with the Conservation, Heritage and Design Service (CH&DS) at Derbyshire County Council to provide it with advice on the impacts of applications in the

DVMWHS and its Buffer Zone as to their impacts on OUV. The Partnership does not always refer an application to the CH&DS if it is a reasonably straight forward judgement. However, the great majority of applications submitted to the Partnership are referred to the CH&DS.

When an application is referred to the CH&DS, officers within the Service will review the application and give their professional view on potential impact or suggest what additional information is required to be able to assess impacts. This response is then incorporated into the DVMWHS Partnership's standard consultation response letter template and sent to the LPA.

The LPA must judge for itself how to proportionally respond or address the content of any consultation response received from the DVMWHS Partnership.

The DVMWHS Partnership coordinates a Conservation and Planning Panel which meets six times a year. One role of this Panel is to review all the planning consultation responses that are issued by the Partnership since the previous Panel meeting. If it is felt that any response requires clarification or alteration a subsequent consultation response will be supplied by the Partnership to the relevant LPA.

From time to time, due to the consultation response supplied by the DVMWHS Partnership, the LPA may be asked by an applicant to organise a meeting with one of the DVMWHS Coordinators to clarify advice on site. The Partnership is happy for one of its Coordinators to attend these meetings if they are organised and attended by planning officers of the LPA. In addition to this, the Coordinator may be supported by an Officer from Derbyshire County Council's CH&DS, especially if it relates to their professional expertise.

At any time in the application process an applicant for, or an objector to, a scheme may ask for it to be reviewed by the DVMWHS Partnership's Conservation and Planning Panel at its next meeting. While this can usually be accommodated, there is no scope for the applicant or the objector to present to the Panel. However, from time to time, the Conservation and Planning Panel may invite an applicant to present to the Panel for clarification. This is likely to be for major schemes where there is not an outright objection to the principle of development but where design quality/philosophy is pivotal to its acceptability.

It must be remembered that in all cases it is the responsibility of the LPA to determine applications that are submitted to it. The DVMWHS Partnership's non-statutory consultation responses provide information to be considered when determining the application.

If an LPA refuses permission for an application as a result of, or partly as a result of, a DVMWHS Partnership consultation response and the applicant appeals the decision then the Partnership will support the LPA in any defense of their decision as much as resources allow.

# Planning (Development Control) in the Derwent Valley Mills World Heritage Site

