

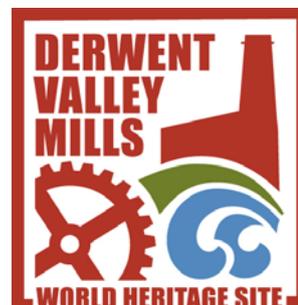
## DERWENT VALLEY MILLS WORLD HERITAGE SITE

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**Sara John**  
**Senior Planning Officer**  
**Development Control**  
**Communities and Place**  
**Derby City Council**  
**The Council House**  
**Corporation Street**  
**Derby DE1 2FS**

4th May 2017

Dear Sara

**Ref: DER/03/17/00297: Erection of apartment block (26 apartments) on land at Duke Street to the south of and adjoining The Furnace Public House (formerly Britannia Court), Derby.**

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 at the next meeting later this month.

The proposed development lies within the Derwent Valley Mills World Heritage Site Buffer Zone and abuts the World Heritage Site boundary alongside the River Derwent. 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 Outstanding Universal Value (OUV) of the Site was defined by the following criteria, agreed by UNESCO when the mills were inscribed. 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 UNESCO World Heritage Committee recorded 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 18th 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 and Design Section (which advises the World Heritage Site Partnership in planning matters) over this application, and have received the following advice.

The site is sensitive as it has the potential to impact on the setting of a number of historic structures, such as St Mary’s Bridge, and key attributes of the WHS, including the river and the Derby Silk Mill which is located just a few hundred yards downstream. A basic OS map regression exercise indicates there were a number of historic engineering works located on the site and so it will be worth consulting with the development control archaeologist to ensure that measures are taken to more fully appreciate the historic significance of the site and its contribution to the WHS.

The proposed design is clearly modern and there is a precedent for this scale of relatively high-rise development within the locality. However, as this is in closer proximity to the aforementioned WHS attributes it needs to be of the highest possible design standard as set out in the DVMWHS Management Plan. Whilst the design is close to an acceptable solution its relationship with its context, particularly the public realm and landscaping, needs to be developed further. The World Heritage Site Partnership would therefore recommend that the design is submitted to an independent design review panel, such as OPUN or an equivalent organisation to CABI, in order to ensure that the best possible design is realised and minimising any impact on the OUV of the DVMWHS.

Thank you for this opportunity to comment on the application.

Yours sincerely

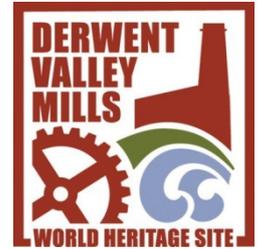
A handwritten signature in black ink, appearing to read 'Adrian Farmer', written in a cursive style.

**Adrian Farmer**

Heritage Co-ordinator,

Derwent Valley Mills World Heritage Site.

# 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

