

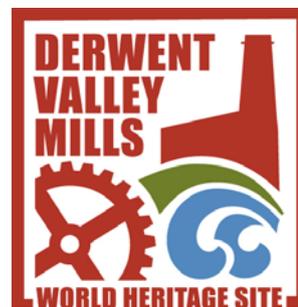
DERWENT VALLEY MILLS WORLD HERITAGE SITE

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Laura Neale
Development Control
Neighbourhoods
Derby City Council
The Council House
Corporation Street
Derby DE1 2FS

19th November 2019

Dear Laura

DER/05/18/00771: Erection of a new building providing 202 residential apartments on off Phoenix Street, Derby.

Please find below the DVMWHS Partnership's comments to the letters received by Derby City Council in response to UNESCO's communication to HM Government's Department for Digital, Culture, Media, and Sport, relating to the above application. These comments have been verified by the Derwent Valley Mills World Heritage Site Conservation and Planning Panel.

The Partnership stands by its previous correspondence that highlights the negative impact that the proposal will have on the Outstanding Universal Value of the Derwent Valley Mills World Heritage Site (DVMWHS).

The Outstanding Universal Value of World Heritage Sites in the UK is set out in their Management Plans and protected through the planning system. This is principally done through the application of the National Planning Policy Framework (NPPF). The NPPF identifies World Heritage Sites as heritage assets of the highest significance. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit. It should be noted that 'less than substantial harm' does not mean 'no harm'. As per the NPPF, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. World Heritage Sites are heritage assets of the highest significance which are internationally recognised to be of Outstanding Universal Value.

ICOMOS International is identified in UNESCO's Operational Guidelines for the Implementation of the World Heritage Convention as its advisor on cultural heritage. The Derwent Valley Mills World Heritage Site is inscribed as a cultural World Heritage Site.

Consequently, the Partnership finds it difficult to agree with the assertion included in Chris May's letter, on behalf of Howes Percival LLP, that the application does not need to go back to Derby City Council's Planning Control Committee. Whilst Historic England, Derby City Council's Conservation Officer and the DVMWHS Partnership all agreed that the scheme negatively impacted on the Outstanding Universal Value of the World Heritage Site, this was from a local and national perspective. UNESCO brings considerable further weight, via the ICOMOS International Technical Review comments, to the considerations that need to be undertaken by Derby City Council's Planning Control Committee.

UNESCO is charged, by the United Nations, with administering World Heritage and its stewardship for the whole of humankind.

I hope this gives some clarity on the DVMWHS Partnership's position in relation to UNESCO's letter and the applicant's response.

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.

cc Chloe Oswald, Derby City Council.