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Dear Dr Rössler,

State of Conservation of the World Heritage Property “Cornwall and West Devon Mining Landscape”

I am writing to report on the actions taken by the UK State Party in response to World Heritage Committee decision **41 COM 7B.54**. The report is structured in line with the template provided at Annex 13 of the *Operational Guidelines*. The relevant sections of the Committee decision are printed in *italics* for ease of reference.

The UK State Party is content for this report to be posted on the UNESCO World Heritage Centre website. If you require further information or clarification do please do not hesitate to contact me.

Kind regards,

Enid Williams
World Heritage Policy Advisor

STATE OF CONSERVATION REPORTS BY THE STATES PARTIES

(in compliance with Paragraph 169 of the *Operational Guidelines*)

STATE OF CONSERVATION OF THE CORNWALL AND WEST DEVON MINING LANDSCAPE WORLD HERITAGE SITE (UNITED KINGDOM) (N1215)

In accordance with **41 COM 7B.54**, the State Party submits this report on the State of Conservation of the Cornwall and West Devon Mining Landscape World Heritage Site.

1. Executive Summary of the report

In accordance with Decision 41 COM 7B.54, the United Kingdom State Party has produced a State of Conservation Report for the Cornwall and West Devon Mining Landscape World Heritage Site. This report addresses the progress in implementing new planning tools and processes that ensure development within the World Heritage property supports its OUV, the position with regard to further development at South Quay and North Quay, Hayle Harbour and the current situation in relation to other developments noted in 41 COM 7B.54.

This report details the the protection and management regime that is now in place following the advice of the Committee and advisory missions. This robust framework now in place enables the protection of the attributes of OUV, individually and collectively, as well as authenticity and integrity of the property.

These actions address the recommendations from the mission of 2013 and 2015, as set out in Decision paragraph 3. The report is structured according to the format provided by the World Heritage Centre. The text of the Committee decision is given first, in italics. The response of the State Party does not use italics.

2. Response from the State Party to the World Heritage Committee's Decision 41 COM 7B.54

- 1. Having examined Document WHC/17/41.COM/7B,*
- 2. Recalling Decision 39 COM 7B.86, adopted at its 39th session (Bonn, 2015),*
- 3. Recalling the recommendations of the Reactive Monitoring missions of October 2013 and January 2015, urges the State Party to complete their implementation as a priority;*

Information on the implementation of the missions' recommendations is provided in full in the relevant paragraphs below.

4. Welcoming the State Party's efforts for improving planning tools and their implementation in order to ensure that there are no adverse impacts on the property's Outstanding Universal Value (OUV), commends the State Party for the progress which has occurred and requests it to provide information to the World Heritage Centre on further improvements, finalization and implementation of the planning tools and approval processes, which will contribute to preserving the OUV of the property;

5. Also requests the State Party to establish stronger protection tools and more detailed planning outlines for the 10 components of the property, in order to strengthen the Supplementary Planning Document (SPD) and the associated improved planning processes; and that these two latter be

endorsed and implemented by the two other Councils responsible for local planning in the property;

The Supplementary Planning Document is the legally enforceable additional planning tool, and was formally adopted by all three Local Planning Authorities (LPAs) in May 2017. The enhanced protection requested by the World Heritage Committee is therefore fully operational across all three LPAs, and all the necessary measures to protect OUV are enshrined within the SPD, which has been given substantial weight in the UK planning system, as demonstrated by planning decisions which have refused permission for development which would cause harm to OUV, including where this harm is less than substantial. In a number of cases the applicant has appealed to national government against the refusal of permission and national government has dismissed the appeal and upheld the refusal of planning permission. Since submission of the last SoCR in November 2016 there have been an increasing number of these cases, which prove the current Management Plan policies, Local Plan policies and National Planning Policy Framework (NPPF) are robust in protecting OUV against inappropriate development.

With regard to “*more detailed planning outlines for each of the 10 components of the property*” the Management Plan for the Property is accompanied by a description of the principal attributes of OUV in each of the ten areas. This provides the basis for Heritage Impact Assessments for proposals that might impact on the OUV of the property. Heritage Impact Assessments are material considerations in planning decision making. As noted above, the suite of planning tools already in place to protect OUV is proving effective.

6. Welcomes the State Party’s invitation for an Advisory mission to Hayle Harbour to guide the redesign of the South Quay project and invites the State Party to broaden the scope of the mission to advise on the revision of the Local Plans and proposed timeframe to define detailed planning outlines for other areas of the property;

Following consultation with the World Heritage Centre it was agreed that, rather than an advisory mission, sharing of amended plans and drawings electronically and discussion in telephone conference calls provided a more practical way of securing the redesign of the South Quay project. It was also noted that the timeframe for the adoption of local plans did not allow for input from the Centre or ICOMOS, but that robust policies to protect OUV had been put in place in the plans. These are described in detail below.

The remaining development on South Quay had only outline consent, with all matters reserved except for access. Full consent was still required at the time of the mission report, necessitating further planning applications.

Two applications (PA17/04181 and PA 17/ 04182), were received and subsequently reported to the Centre in July 2017. Their determination followed the new working practices described to the mission in 2015 and reported to the World Heritage Centre in 2016, with an extended decision timescale to enable consultation with the World Heritage Centre and ICOMOS. The design principles, which reflected the historic character of the site, had been agreed between Historic England, the Local Planning Authority and the developer in June 2015.

The telephone conferences involved the World Heritage Centre, ICOMOS, the developer’s agents, Cornwall Council, Historic England, the State Party and the Cornish Mining WHS Office. Design modifications were discussed and agreed in the final revised version of the planning application, that received approval following receipt of the final ICOMOS Technical Evaluation in March 2018, which had concluded that no further changes were sought. The State Party is grateful to all concerned for their diligence in achieving this successful outcome and the agreement of a much needed, heritage led scheme of development.

In respect of Local Plans, at the time of the July 2017 Committee decision, Cornwall Council's Local Plan 2010-30 had already been adopted (November 2016), with Policy 24 protecting OUV and the setting of the World Heritage Site. Devon County Council only has planning responsibility for Minerals and Waste Local Plans; its Minerals Plan 2011-31 had also been adopted in February 2017, with Policy M19 protecting OUV. The emerging Plymouth & South West Devon Joint Local Plan 2014-2034, containing policy DEV 23 which protects OUV, has passed the public consultation and examination in public stages. Adoption is anticipated in the near future, subject to modifications that will not affect policy DEV 23. Although the statutory timescales for the local plan process could not therefore accommodate advice from the Advisory Bodies or the World Heritage Centre the local plan policies provide robust protection for OUV which we commend to the Committee.

7. *Taking note of the new operator of the South Crofty Mine, Strongbow Explorations Incorporated (SEI), also welcomes the State Party's monitoring efforts and further requests it to continue to keep the site under high scrutiny and maintain dialogue with SEI, and to submit an update of the archaeological reports as well as on the agreement of details of the boundary treatment and detail planning tools and information on any future development especially regarding any surface elements at the South Crofty Mine;*

Discussions between Cornwall Council, the World Heritage Team, Historic England and Strongbow Explorations Inc (SEI) concerning how to address recommendations of the World Heritage Committee have taken place. The responses discussed included a change of colour to the cladding of the Mill building, from grey to green, which the heritage agencies have agreed would be an acceptable approach in responding to comments on reducing visual impact. SEI has confirmed that it would be willing to make an application for a Non Material Amendment to its current permission to achieve this in future. An updated Archaeological report has been produced.

8. *Requests furthermore the State Party to ensure that details for any substantial future projects in the property or its immediate and wider setting, together with Heritage Impact Assessments (HIAs) with a specific section focusing on the potential impact of the projects on the OUV, be submitted to the World Heritage Centre, for review by the Advisory Bodies, before making any decisions that would be difficult to reverse, in accordance with Paragraph 172 of the Operational Guidelines;*

- **Hayle Harbour North Quay** – The outline planning permission has been followed up in discussions between the developer, Historic England and Cornwall Council in order to inform discharge of conditions and detailed reserved matters applications (PA18/04552 and PA18/04577). Historic England have no objections on heritage grounds to the principle of development on these sites, but has raised concerns about certain aspects of the design and how the form of development is distributed and articulated across North Quay. In order to ensure that the authenticity and integrity of the World Heritage Site and its Outstanding Universal Values are protected and not harmed, Historic England believes that changes to the proposals are required.

The applications were notified to the World Heritage Centre in August 2018 and ICOMOS's technical evaluation, which raised similar concerns to those of Historic England, was received in September. An extension of the determination deadline to December 2018 has been agreed with the developer to allow time for them to amend the proposals in response to the various heritage agencies' advice and for these to be referred back to the World Heritage Centre.

- **Callington Road, Tavistock** - The outline planning consent on the development of 750 dwellings at Callington Road, which lies outside the WHS boundary, did not draw an objection from Historic England. A reserved matters application (ref 2807/18/ARC) has been submitted for 157 units on a section of the site farthest from the WHS boundary and out of view of the Site. Another reserved matters application (3345/18/ARM) for 241 units on the section directly to the south of the proposed 157 units has also been submitted. Both

applications are located to the west of the railway cutting that bisects the overall site considered at outline, and therefore neither are located near the WHS boundary, nor do they impact adversely on OUV. Historic England's comments in respect of application 2780/18/ARM were sought, and they confirmed they have no objections to the proposals. Their comments in respect of application 3345/18/ARM are awaited but are not anticipated to differ from those made in respect of 2780/18/ARM. The WHS Office has also been consulted on both applications as well as the Conservation Officer for West Devon Borough Council.

9. Finally requests the State Party to submit to the World Heritage Centre, by 1 December 2018, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 43rd session in 2019, with a view to considering, if the proposed improvements to the planning tools and approval processes outlined by the State Party are not completed, endorsed and strictly implemented, the possible inscription of the property on the List of World Heritage in Danger.

This letter constitutes the requested report. The information set out above demonstrates clearly that the planning tools and approval processes have been significantly improved at both local and national level and have strengthened the protection and management regime for the property. The adoption by the State Party and local partners of the recommendations of the 2015 advisory mission and the 2017 World Heritage Committee decision has improved the state of conservation of the property and strengthened the measures that are in place for its long term protection and management. The State Party is strongly of the view that the WHS is not at risk and that in danger listing is not needed to secure the future of the property.

3. Other current conservation issues identified by the State Party

An application for a conversion to a domestic dwelling of the Engine House at Wheal Friendly, St Agnes was referred to UNESCO by a member of the public (thus coming within the scope of section 174 of the World Heritage Convention). The Local Planning Authority, Cornwall Council, in line with the planning processes agreed with the World Heritage Centre, delayed determination whilst awaiting a response from them. The ICOMOS technical review of this application made a number of recommendations which Cornwall Council is referring back to the applicant prior to deciding how to proceed.

4. In conformity with paragraph 172 of the Operational Guidelines, please describe any potential major restorations, alterations and/or new construction(s) within the protected areas (core zone and buffer zone and/or corridors) that might be envisaged

At the time of writing there are no proposals, other than those described above, which fall within the scope of paragraph 172.

5. Public access to the State of Conservation Report

The State Party is content for this report to be publicly accessible.

6. Signature of the State Party



Ms Enid Williams
Senior Heritage Policy Advisor

