

**STATE OF CONSERVATION REPORT**  
**BY THE STATE PARTY**  
**(in compliance with Paragraph 169 of the *Operational Guidelines*)**

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**STATE OF CONSERVATION OF THE DERWENT VALLEY MILLS WORLD HERITAGE SITE**  
**(UNITED KINGDOM) (1030)**

In accordance with the request of 4 February 2021 from the World Heritage Centre to the UK Government (Ref: CLT/WHC/EUR/21/13085), the State Party has produced a report on the State of Conservation of the Derwent Valley Mills World Heritage Site.

As requested, this report is structured according to the format set out in Annex 13 of the *Operational Guidelines*. The specific points raised in the World Heritage Centre's request are reproduced in italics. The response of the State Party is not indented and does not use italics.

**1. Executive Summary of the report**

In accordance with the request by the World Heritage Centre (Ref: CLT/WHC/EUR/21/13085) the United Kingdom State Party has produced a State of Conservation Report for the Derwent Valley Mills World Heritage Site.

The State Party notes the concerns raised in the request from the World Heritage Centre regarding specific planning decisions. The opportunity is welcomed to place those cases in the wider context of mechanisms which continue to deliver successful protection of the Outstanding Universal Value of the property.

Further measures which have been introduced to support the positive conservation of the property through training and financial support are set out. The integration of sensitivity mapping into statutory local plan policies is also outlined.

**2. Response to the request from the World Heritage Centre**

- i) *To have a deeper understanding of the existing and planned strategies and policies related to the protection and management of the property, and to be able to assess the potential impact of all current major project plans, the World Heritage Centre would like to kindly ask your national authorities to submit a report on the state of conservation.*

#### A - The Landmark, Phoenix Street, Derby

Planning application 05/18/00771 sought the erection of a new multi-storey building providing 202 residential apartments, off Phoenix Street, Derby. This was outside, but abutting, the World Heritage Site Buffer Zone.

The Derwent Valley Mills WHS Partnership and the local planning authority's conservation officer highlighted that its multi-storey nature would impact on views relating to the Silk Mill, within the WHS, and Cathedral Green and the River Derwent in the Buffer Zone.

The planning committee, contrary to the Development Management Officer's recommendations, approved the application in August 2020.

Planning Committee members and Development Management officers are now receiving training on behalf of the World Heritage Site Partnership (see additional detail below) to better understand the potential impacts of tall buildings on the World Heritage Site. This training will support them in the effective protection of the Property via the robust mechanisms set out in local and national planning policy and guidance.

#### B - 118 dwelling development at Whitehouse Farm, Belper Lane, Belper

Planning application AVA/2016/1120, for the demolition of the unlisted Whitehouse Farm and the erection of 118 dwellings on land at Belper Lane, Belper, was received in 2016 and validated on 4 October 2016. It was referred to the Planning Board meeting on 18 September 2017 for consideration and determination and the Planning Board resolved to refuse planning permission.

A second application, AVA/2017/1128, for 65 dwellings was received in 2017 and validated on 10 October 2017. Following complex procedural issues, the applicant made an appeal to the Secretary of State on the basis of non-determination of the application. The Planning Board was therefore advised on 19 June 2018 that the council no longer had any jurisdiction over the determination of the application and it would be determined by an appointed Planning Inspector, following an informal hearing in July 2018, where the earlier appeal against the refusal of planning permission in respect of the larger proposals (AVA/2016/1020 – 118 dwellings) would also be considered.

Historic England and the World Heritage Site Partnership raised objections to both applications covered by the hearing on the basis of impact upon OUV.

Both appeals were recovered by the Secretary of State, who considered the relevant information and the policy context and agreed with the conclusions of the Planning Inspector that the appeals be allowed and planning permissions should be granted, subject to conditions. The particular circumstances of this case reflect the absence of an up-to-date Local Plan in the Borough and the attendant difficulties in resisting harmful schemes in the absence of sufficient sites allocated in a plan-led process.

Measures to reduce the exposure of the property to harmful development are in progress (see more detail below including in relation to the Local Plan review process) which should ensure that there are positive policies and allocations for sustainable development within up-to-date Local Plans.

#### Steps taken since these decisions and positive planning outcomes

At Derby, since the approval given by the Planning Control Committee for the Landmark Tall Building, greater pre-application discussion and advice is more strongly encouraged so that early advice can be given and applicants can seek early engagement with the DVMWHS Partnership and Historic England.

Regular validation meetings are held between the Conservation Officer and the Validation Team to look at applications so they can be flagged and the DVMWHS Partnership and Historic England can be consulted.

The development of the following schemes evidence the positive effect of additional input from Historic England and the World Heritage Partnership:

A scheme for 114 homes at Derwent Street, Belper AVA/2021/0106 on a previously allocated site in the Local Plan was recently approved. The proposal initially submitted was for housing and a care home. The care home element was of particular concern to Historic England as it would have been highly prominent in a monitored view within the DVMWHS. Following negotiation this element has been removed and replaced with lower scale development on which basis harm to OUV was avoided.

A scheme was submitted at a greenfield site on Sandbed Lane, Belper AVA/2020/0223, for 180 dwellings adjacent to a site previously refused on appeal (Bullsmoor). Historic England objected on the basis of harm to OUV and the application to Amber Valley Borough Council was withdrawn and harm to OUV was again averted. In Historic England's view the impact of this scheme upon OUV would have been greater than that of the consented Whitehouse Farm developments (see B above).

Historic England is working with Amber Valley to secure additional Conservation Officer provision in the authority to reflect the extensive part of the Property within their Borough.

#### Training

Key to the greater understanding and commitment required from planners in light of the concerns raised, a detailed training session was identified as a requirement in the Derwent Valley Mills Management Plan 2020 (Objective 1.2) and delivered in October 2021 on behalf of the World Heritage Site Partnership.

At Derby City Council, this training was made compulsory for all decision makers, including development management officers and planning committee councillors. The Leader, Deputy

Leader, cabinet members for Planning and Leisure, Culture and Tourism all sought attendance. The Chair and Vice Chair of the Derby Conservation Area Advisory Committee, who provide advice to the planning control committee, were also asked to attend.

At Derbyshire Dales, training was provided for all ward members whose wards are within (or abutting) the World Heritage Site and/or Buffer Zone, ward members who have an interest in the WHS and sit on the planning committee, and all key planning and conservation officers.

At Amber Valley, all planning committee members and officers were invited to attend.

Erewash (which has the smallest area of the Property) were unable to attend training sessions, but alternative arrangements will be offered to ensure they can develop a deeper understanding of the importance of the Property.

Historic England and the Partnership are exploring appropriate models for the provision of further training to national-level government advisors and decision makers.

- ii) Describe the documents/legal tools, which provide the protection of the property on the local, regional and national level.*

### National Planning Policy

The UK ratified the UNESCO World Heritage Convention in 1984. By doing so, the UK Government has undertaken to identify, protect, conserve, present and transmit to future generations such places. World Heritage Sites, their settings, including any buffer zones or equivalent, are primarily protected through their designation and the planning framework (in England this is through the National Planning Policy Framework, supported by the Planning Practice Guidance, and through Development Plans (which would comprise of regional, local and neighbourhood plans as applicable) under which planning decisions are taken.

The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. World Heritage Sites are defined as designated heritage assets in the NPPF and they are inscribed for their Outstanding Universal Value (OUV).

The Planning Practice Guidance (PPG) supports the NPPF, explaining that the cultural heritage within the description of the OUV will be part of the WHS's significance and the policies of the NPPF will apply to the OUV as they do to any other heritage significance they hold. As the NPPF makes clear, the significance of the designated heritage asset (in this case the WHS) derives not only from its physical presence, but also from its setting. The PPG sets out the principles to be considered in developing a positive strategy for the conservation and enjoyment of World Heritage Sites.

With specific reference to World Heritage Site Management Plans, the PPG states that given their importance in helping to sustain and enhance the significance of the WHS, relevant policies in management plans need to be taken into account in preparing development plans for the

historic or natural environment (as appropriate) and in determining relevant planning applications.

The Derwent Valley Mills World Heritage Site Research Framework (2016) sits alongside the Management Plan as set out in the UNESCO Operational Guidelines to make resources available to undertake and encourage research into the Site.

### Local Plan Review Process

Since 2019, all four of the local planning authorities with responsibilities for the Derwent Valley Mills World Heritage Site have commenced reviews of their Local Plans (or Core Strategy in the case of Erewash). All are in a very early stage of review:

**Amber Valley Local Plan:** The Amber Valley Local Plan Alternative Spatial Strategy Options for Housing and Economic Growth were published for Consultation in July 2021. The target date for adoption of the new Local Plan is September 2023. An appropriate policy recognising the OUV of the DVMWHS and seeking to preserve, protect and enhance its special character, appearance and distinctiveness, in line with the Management Plan for the DVMWHS will be a key component.

The policy is also expected to include criteria against which the Borough Council will assess any development proposals which may impact on the OUV, including within the defined Buffer Zone. The precise wording of the policy will be agreed following consultation and engagement with the appropriate bodies, including Historic England, Derbyshire County Council and the DVMWHS Partnership, in advance of the preparation, agreement and publication of a Pre-Submission Local Plan, by June 2022. The State Party will provide a further update to the World Heritage Centre on development of this policy language in due course.

**The Neighbourhood Plan for Belper:** Formally ‘made’ by the Borough Council in June 2021, the plan includes policy NPP1 which sets out criteria against which all development proposals within the Neighbourhood Plan area should be considered. These criteria include the need to protect and conserve the Derwent Valley Mills World Heritage Site.

The Neighbourhood Plan also includes a number of site-specific policies in respect of brownfield sites, where redevelopment is supported in principle, subject to a number of criteria. These include criteria in relation to the DVMWHS and its OUV, in line with those in policy NPP1.

**Emerging Corporate Plan for Belper:** This is also in preparation, linked and committing to actions within the DVMWHS Management Plan.

**Derby City Local Plan:** No formal consultation has yet been published but the City Council are in the early stages of evidence gathering. The City Council has undertaken a two-phase approach to understanding and evidencing potential policy options for dealing with tall buildings.

Firstly, a city **Skylines and Significant Views Study**<sup>1</sup> (2019) was commissioned in partnership with and partly funded by Historic England. The study identifies a range of significant views and provides commentary on the most important elements within each view from a historic environment perspective. The work also included a review of the existing tall buildings strategy in Derby. This study fed into and provided key evidence to justify the commissioning of a comprehensive Tall Buildings Study.

The **Tall Buildings Study**<sup>2</sup> (2021), welcomed by Historic England particularly following the Landmark decision, has now been published and aims to provide the reader with a comprehensive and nuanced understanding of tall buildings, both in general terms and specifically in relation to Derby. Following an innovative urban design-based approach, the study then makes recommendations on how the height and location of future development can be optimised to bring regeneration and economic development while responding appropriately to the city's heritage and image.

The Tall Building Study is part of the Local Plan evidence base. It is envisaged that this will feed into the emerging City Centre Masterplan (see further below).

The creation of the Derby Tall Buildings Study has been underpinned by a comprehensive stakeholder engagement programme, ensuring the study reflects the particularities of Derby and is representative of local ambitions and concerns.

Derby City Council is also in the early stages of producing a new **masterplan/vision** document for the city centre. Whilst there is no document at this stage, discussions with key stakeholders have flagged up the need for the Council to do more to protect heritage and recognise its value as an economic asset. These views will be an important steer in drawing up the masterplan which will also draw on the findings of the skyline and tall buildings studies. In addition, these studies will provide important baseline information to inform the development and determination of applications for planning permission in the city centre.

Whilst the masterplan will be a non-statutory document, the intention is to incorporate its strategy and key policies/objectives into the new local plan. This plan will also be informed by the skyline and tall buildings studies. Historic England is actively engaged in this process and the State Party will be able to provide a further update on these developments to the World Heritage Centre in due course.

**Derbyshire Dales Local Plan:** This is in the early stages of evidence gathering including consultation on a Sustainability Appraisal Scoping Report. A 'Climate Change' Supplementary Planning Document was adopted in July 2021, providing guidance which will be taken into account for any proposed developments within the World Heritage Site and Buffer Zone.

**Erewash Core Strategy:** Two early stage consultations have been undertaken: a) the Core Strategy Review - Draft Options for Growth (January 2020) and b) the Core Strategy Revised

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<sup>1</sup> <https://www.derby.gov.uk/environment-and-planning/conservation/derby-skyline/>

<sup>2</sup> <https://www.derby.gov.uk/environment-and-planning/planning/local-plan/evidence-base/#page-14>

Options for Growth (March 2021).

The Core Strategy review is not intended to make any proposals for development in the Derwent Valley Mills World Heritage Site, or review existing policy protection of the portion of the WHS in Erewash Borough.

All of the Adopted Local Plans /Core Strategies are coming towards the end of the Government requirement for Local Plans to be reviewed every five years. The commencement of reviews of their Local Plans by each of the four authorities provides an opportunity to strengthen the policies in those plans for protecting the OUV of the DVMWHS and bring them into line with the most up-to-date national policies in the National Planning Policy Framework for the protection of World Heritage Sites. It also provides the opportunity for the four authorities to further address in their new Local Plans the concerns that have been raised by UNESCO and the importance of a stringent application of those new policies for the protection of the OUV of the DVMWHS when assessing new developments within the WHS and its Buffer Zone.

*iii) Moreover, consider the possibility of carrying out a sensitivity mapping to assess the potential impact (including visual impacts) of current and future projects planned in the buffer zone and the wider setting of the property, and to develop guidelines for the future developments in these areas.*

Sensitivity mapping has, as can be seen in the above examples, been introduced into the local plan process across the WHS. So far it has been introduced in Derby through the Skyline and Tall Buildings Studies (see above) and in Amber Valley through the Alternative Spatial Strategy to ensure the testing of areas of potential housing growth against the mapped sensitivity of the WHS. Both the Partnership and Historic England have engaged with this approach.

As other Local Plans are brought forward this approach can be reproduced through the structure of the consultation process. Historic England and the World Heritage Site Partnership Coordination Team will support the authorities in a consistent and rigorous approach drawing upon the guidelines for future developments in the rural relict landscape that are set out in the 2020 Management Plan.

More generally, Historic England is currently undertaking work nationally on sensitivity mapping for planning purposes, to identify when and how it can best assist in setting the context for decision-making.

3. **Other current conservation issues identified by the State Party which may have an impact on the property's Outstanding Universal Value**

**The Belper Mills Complex**

The deteriorating Belper Mills site has been the subject of active planning and listed building consent applications since March 2019 and Amber Valley Borough Council is working with the applicant to address the conservation of the assets and safeguard their contribution to attributes of Outstanding Universal Value through the planning process.

The positive conservation of the OUV of the World Heritage Site will be at the heart of the decision-making process in accordance with national and local planning policy and guidance. This case is underpinned by the statutory duties of decision makers in respect of the listed buildings and conservation area.

The site includes the road archway and footbridge identified on Historic England's *Heritage at Risk* Register, which has been hit and damaged by large vehicles on several occasions, most recently in September 2021. An electronic warning system has been installed to warn lorries of the low bridge.

The site also includes the North Mill, described by Historic England as an 'important example of an early 'fireproof' mill, 1803-4'. Amber Valley Borough Council and Historic England are deeply concerned about the condition of the roof and occasional flooding in the basement. The owner has undertaken some temporary repairs and the introduction of mechanical ventilation. These repairs are failing and wholesale re-roofing is required. The adjoining grade II East Mill is vacant and in poor condition.

Future action depends on the outcome of the planning and listed building consent applications. The council has resolved to use all powers available to ensure protection and repair of the Belper Mills.

**Haytops Country Park, Whatstandwell**

This site was the subject of a planning inquiry in January/February 2021, following the unauthorised re-landscaping of the valley side of the River Derwent to provide terraces for chalet-style mobile homes in what had been a relict wooded landscape.

The appeal was dismissed and the terracing must be removed, but it will be some time before the relict landscape recovers and the replacement trees for those removed illegally have become established. The local planning authority (Amber Valley District Council) will be responsible for enforcement and the monitoring of compliance in these respects.



4. **In conformity with Paragraph 172 of the *Operational Guidelines*, describe any potential major restorations, alterations and/or new construction(s) intended within the property, the buffer zone(s) and/or corridors or other areas, where such developments may affect the Outstanding Universal Value of the property, including authenticity and integrity.**

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

**Positive impacts (enhancement):**

There have been, however, a number of positive impacts on the Outstanding Universal Value of the Derwent Valley Mills, including:

- In 2020 the repairs to Long Mill, within the Darley Abbey Mills complex, were completed by the owner with the support of a Derby City Council grant. Long Mill is a grade I listed building. The conversion of Long Mill and West Mill is now complete. Repairs to Long Mill were completed in 2020 and it is no longer at risk.
- The Our City Our River scheme has planned and carried out a number of flood defences to protect and safeguard parts of the DVMWHS. This long-term flood defence scheme is still being undertaken and proposals for individual residential properties in Darley Abbey are being drafted.
- Derby City Council owns the Silk Mill and has supported the Derby Museums Trust in repairing the building and in the recent opening of the new Museum of Making within it which directly contributes towards public education and community engagement with the manufacturing heritage of the World Heritage Site.
- Following major restoration of Belper River Gardens, which resulted in the park being upgraded to Grade II\*, Amber Valley Borough Council resolved, in March 2018, to procure a replacement tearoom for the park. The new design of the tearoom, which opened in Autumn 2021, respects the heritage of the original building, whilst offering modern high-quality facilities within.
- Voluntary replacement of inappropriate doors and windows (and building repairs and re-roofing) to privately owned listed/historic properties in Cromford and area continue, and this is illustrative of positive community engagement with the conservation of the World Heritage Site.
- The Arkwright Society and Derby Museums Trust received funding from the UK Government's Cultural Recovery Fund to help mitigate the financial impacts caused by Covid-19 at Cromford and Derby. For Cromford Mills, £956,000 was provided by the State Party to secure the immediate financial viability of these

cultural organisations and the important World Heritage fabric which they manage.

5. **Public access to the state of conservation report**

The State Party is content for the full report to be uploaded to the World Heritage Centre's State of Conservation Information System.

6. **Signature of the Authority**

A handwritten signature in black ink, appearing to read 'HR', is positioned above the printed name and title.

Henry Reed  
Senior International Policy Adviser, Cultural Diplomacy  
Department for Digital, Culture, Media and Sport