

Report to: **Hub Committee**

Date: **16 May 2017**

Title: **Using the Cornwall & West Devon Mining Landscape World Heritage Site Supplementary Planning Document in decision making**

Portfolio Area: **Strategic Planning**

Wards Affected: **Bere Ferrers, Tamarside, Tavistock South West, Tavistock North**

Relevant Scrutiny Committee: **Overview and Scrutiny (Internal) Committee**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: Council Meeting 23 May 2017

Author: **Tom Jones** Role: **CoP Place Making**

Contact: **01803 861404**  
[thomas.jones@swdevon.gov.uk](mailto:thomas.jones@swdevon.gov.uk)

---

**Recommendations:**

That Council be **RECOMMENDED** to:

1. Agree to adopt Cornwall & West Devon Mining Landscape World Heritage Site Supplementary Planning Document as a guidance document in planning decision making.
2. Agree the approach of including clarification on and further detail to Policies SPT11, TTV20, DEV21 and DEV23 of the emerging Joint Local Plan in the Thriving Towns and Villages Supplementary Planning Document.
3. Agree to a review of the Tavistock Conservation Area Management Plan with the specific purpose of incorporating a World Heritage Site element into that document

## 1. **Executive summary**

- 1.1. The Cornwall and West Devon Mining Landscape World Heritage Site (the WHS) is a designated heritage asset that is recognised in the National Planning Policy Framework as having great significance.
- 1.2. The accompanying document has been prepared by the Cornish Mining WHS Partnership to support the protection of this asset through the UK planning system. It has been adopted by Cornwall County Council as a Supplementary Planning Document (the WHS SPD). The document is submitted to Hub Committee to consider, with a view to approving its adoption.
- 1.3. In addition it is requested that Hub Committee endorses two further actions in order to further strengthen the status of the WHS in the planning process:
  - that the Thriving Towns and Villages Supplementary Planning Document (TTV SPD) includes clarification and detail with respect to Policies SPT11, TTV20, DEV21 and DEV23 of the emerging Joint Local Plan, drawing on the WHS SPD as its evidence base; and
  - a review of the Tavistock Conservation Area Management Plan is undertaken and that this incorporates a WHS element, again drawing on the WHS SPD as its evidence base

## 2. **Background**

- 2.1. The WHS benefits from a very high level of heritage asset designation. It comprises ten specific areas in Cornwall and Devon, which achieved WHS status from the UNESCO World Heritage Committee in 2006. These are surviving mining landscapes that evidence the international impact of the Cornish Mining industry, and are considered to have Outstanding Universal Value (OUV) to the whole of humanity.
- 2.2. Care and management of World Heritage Sites is governed by the UNESCO Convention on the Protection of World Natural and Cultural Heritage (1972) (World Heritage Convention), to which the UK Government is a signatory, and Operational Guidelines for the Implementation of the World Heritage Convention (2013). There are four principal obligations deriving from the World Heritage Convention:
  - Protect
  - Conserve
  - Present
  - Transmit to future generation
- 2.3. In the UK protection of the designated landscape is achieved primarily through the spatial planning system. The National Planning Policy Framework states that:

‘Substantial harm to a World Heritage Site should be wholly exceptional’

*(NPPF 2012, paragraph 132)*

- 2.4. The Cornish Mining WHS Management Plan (2013-18) sets out how the partners, including West Devon Borough Council, will deliver the World Heritage Convention requirements and was adopted by all three Local Planning Authorities (Cornwall, Devon County and West Devon Borough), in 2013. This has been used to inform planning decisions.
- 2.5. The WHS SPD carries forward and enhances the objectives of the management plan and provides detailed planning guidance. It was completed in 2016, and this report seeks to ensure that it is used to its full extent in relevant planning decisions.
- 2.6. The Cornish Mining WHS Partnership Board (on which West Devon Borough Council is represented) has recommended all their partner LPAs to adopt the WHS SPD
- 2.7. The two additional actions that are recommended in this report will enable the Council to further strengthen the policy base, grounding the SPD firmly the Joint Local Plan and the Tavistock Conservation Area Management Plan. This is essential to ensure that the WHS status is maintained.

### 3. **Outcomes/outputs**

- 3.1. Ensuring retention of the WHS status is important for the vitality of local communities and their economies.
- 3.2. Since inscription in 2006, WHS status has been instrumental in achieving over £100m in capital investment for heritage led regeneration, and has delivered an uplift in income for those tourism businesses that work closely with the WHS Partnership.
- 3.3. The approach recommended in this report will establish a planning policy framework to enable the Council to continue to fulfil the responsibilities and opportunities deriving from WHS status following the adoption of the Joint Local Plan.
- 3.4. The principal audiences for the WHS Supplementary Planning Document, the TTVSPD and the Tavistock Conservation Area Management Plan comprise:
  - planning case officers and members of the planning committees of the authorities involved, to enable them to make appropriate delegated and robust committee decisions;
  - developers / prospective developers of sites within the WHS and their agents, to encourage and facilitate early and effective consultation between developers, the Local Planning Authorities and historic environment professionals;
  - Members of the public and consultees on planning applications in the WHS area; and
  - The Secretary of State and appointed inspectors in respect of appeals

- 3.5. It is also a well-written and very informative narrative on the nature of World Heritage and the history of the Cornwall & West Devon Mining Landscape World Heritage Site and will, therefore, have general interest for many people.
- 3.6. A resource to undertake the review of the Tavistock Conservation Area Management Plan will be allocated for the financial year 2018/2019.

4. **Options available and consideration of risk**

- 4.1. UNESCO has indicated that the preparation and application of the WHS SPD is a condition for not placing the Site on the List of World Heritage in Danger (the At Risk List). Cornwall and Devon County Councils have adopted the SPD. Not giving formal recognition to the document represents, therefore, a high risk that that West Devon would undermine the efforts of our partner organisations to ensure this condition is met.
- 4.2. The two further measures are necessary to provide clear guidance and robust policy with respect to dealing with planning applications that are within the WHS and / or its setting. Similarly, failure to incorporate WHS elements into the TTV SPD and failure to review the Conservation Area Management Plan, as described, would also undermine the case.
- 4.3. The combination of the three measures will provide a clear and robust position and framework to ensure planning applications and decisions are fully informed and seek to protect and enhance this heritage asset.
- 4.4. Failure to carry out the measures recommended in this report would carry a risk of being placed on the 'At Risk' List by UNESCO. This would be likely to result in reputational damage and potentially substantial risk of lost economic opportunities should it progress to loss of the WHS status.

5. **Proposed Way Forward**

- 5.1. Officers do not consider that a viable alternative option exists to achieve the necessary outcome.
- 5.2. The next steps will be to formally adopt the SPD and agree a timetable for the work on the Conservation Area Management Plan and the TTV Supplementary Planning Document.

6. **Implications**

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The UK Government is a signatory to the World Heritage Convention, but day to day responsibility for delivering protection falls to the Local Planning Authorities.

		The Council is also required by the NPPF and the various Acts governing planning and conservation to set out clearly the significance and importance of the heritage assets in its area, which the measures in this report will ensure.
Financial	Y	The costs of drafting the document have already been covered by the Cornish Mining WHS Partnership, and its future implementation will utilise existing staffing resources.  The preparation of the TTVSPD is included in the Council's Annual Report and the costs are included in the Council's Budget.  Review of the Conservation Area Management will require a resources from the 2018/2019 budget.
Risk	Y	Failure to carry out the actions set out in this report could so could ultimately contribute to the loss of WHS status.
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	The document principally affects those wishing to Develop and affected residents and businesses within the mining landscape of the ten WHS area boundaries and their setting.  As the document will support the achievement of sustainable development - as required by NPPF and the emerging Joint Local Plan – by setting out how to preserve West Devon's internationally significant mining landscape its impacts are positive and consistent with corporate strategies, which have themselves already been assessed.
Safeguarding	N	
Community Safety, Crime and Disorder	N	
Health, Safety and Wellbeing	N	
Other implications	N	

### **Supporting Information**

**Appendices:** Cornwall & West Devon Mining Landscape World Heritage Site Supplementary Planning Document – link as follows:

[Cornwall and West Devon Mining Landscape World Heritage Site Supplementary Planning Document.](#)

## **Background Papers:**

[Cornwall and West Devon Mining Landscape World Heritage Site Supplementary Planning Document.](#)

[The National Planning Policy Framework](#)

[Joint Local Plan](#)

[CA Management Plan](#)

[West Devon Borough Council adopted Core Strategy](#)

[West Devon Borough Council South and South-West of Tavistock Masterplan Supplementary Planning Document](#)

[Cornish Mining WHS Management Plan \(2013 – 18\) and appendices](#)