



The Association of Gardens Trusts

the national charity representing 36 County Gardens Trusts

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Alan C Scott Esq.,
Department for Communities and Local Government
Zone 1/H6 Eland House
Bressenden Place
London SW1E 5DU
14 October 2011

Dear Sir,

Response to consultation on the draft National Planning Policy Framework

The Association of Gardens Trusts represents the 35 County Gardens Trusts in England and therefore represents over 7,000 members who, through their voluntary activities, seek to conserve the rich heritage of historic parks, gardens and designed landscapes. This work involves researching the history of such heritage assets as well co-operation with the Garden History Society and local councils in their listing and conservation.

We contributed to the evolution of the earlier PPS5 Planning for the Historic Environment and its Guidelines which aimed to bring together the separate PPGs 15 and 16. Whilst the result was not perfect we were generally happy that this Strategy strengthened the protection afforded to historic parks, gardens and designed landscapes. In particular we were pleased that such protection would be required at local level by the listing of undesignated local heritage assets by local authorities at the behest of local communities.

Thus we welcome a review of the whole planning system with the object of making it simpler to both administer and understand. However we are concerned that the political drive to reduce the number of pages of text will result in a weakening of the benefits of planning control throughout the whole system unless many aspects are re-considered and, in particular, those aspects that affect conservation of our heritage assets.

We are concerned that there is no larger scale spatial planning to guide local policy and land use planning with the potential for a loss of consistency in decision-making and a loss of integrity of larger scale areas of historic designed landscapes.

We have examined in particular the Historic Environment Section of the draft NPPF, together with relevant sections of the rest of the Framework and the current draft Localism Bill. Our specific responses to the Consultation are provided in the attached documents (pages 4 and 5), but we make the following key comments:

As with many other voluntary organisations involved in the conservation and protection of our valuable historic assets, we believe that our heritage assets (as defined in PPS5) are **non-renewable assets** and therefore the presumption should be in favour of protection.

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We are pleased to note that the NPPF, in theory, “incorporates and streamlines the existing policies contained in Planning Policy 5. It does not alter those policies or create

new ones.” However as we shall detail in pages 4 and 5 the “streamlining” proposed has reduced some of the protection offered in PPS5;

We are concerned at the constant “**presumption in favour of sustainable development**”. This strongly contrasts with the “**presumption in favour of the conservation of heritage assets**” as stated in PPS5 policy HE9.1;

Within the Glossary there is no definition of “sustainability” or of “sustainable development” - only “sustainable drainage”. Yet this is fundamental to the interpretation of the proposed NPPF policies;

It is noted that three policies from PPS5 have been re-sited away from the Historic Environment section of the NPPF. We have examined the new site of HE2 (Evidence Base for Plan Making) in the Plan-making section of the NPPF (Using a proportionate evidence base). There is now only one paragraph (v. the three in HE2) and there is no mention of the need for evidence of heritage assets.

We are also very concerned that policy HE5 (Monitoring Indicators) has both been removed from the Framework and the only reference to monitoring the effects of the policies and strategies on the historic environment says that Councils “*may*” monitor rather than “*should*” in HE5. This is a significant further weakening of the powers to protect the historic heritage.

It is interesting that in the light of the political drive for localism, paragraph 183 of the NPPF only relates impacts of harm or loss upon designated heritage assets, in particular, grade I and II* registered parks and gardens. Grade II and locally designated heritage assets are not included;

Paragraph 185 provides a very weak level of conservation for undesignated heritage assets (such as locally listed historic parks and gardens) as opposed to that provided by policies HE10.1 and 10.2 of PPS5;

A key factor in the previous exercise was the provision of Guidance notes for PPS5 by English Heritage which were supported by the then Government. The NPPF Consultation (Q4a) questions the need for such guidance and, even if provided it is suggested that it be provided by non-Government organisations (such as professional groups). We hope that in the interests of clarity, facilitating decision-making on planning applications and consistent implementation of the policies in the final Framework that the DCLG will give its support to the guidance provided;

Whilst there is no specific question in the Consultation Questions we believe that in the Section *Deliver open spaces, sports and recreation areas* para. 131 should be re-written to make a more positive impact. The initial statement that “Local Green Space designations will not be appropriate for most green areas or green spaces” should be replaced and the paragraph should start “Local Green Space designation should only be used: etc.....”

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In conclusion the Association of Garden Trusts welcomes the object of simplifying the planning system, which has for so long aimed to safeguard our heritage by balancing growth and conservation. However this initial attempt to determine national policies (previously supplied through Planning Policy Guidance) is suffering from the overwhelming drive to both reduce the number of pages of text and, at the same time, encourage development. The powers of heritage protection incorporated in the recent PPS5 after much consultation and discussion, have been weakened rather than maintained or strengthened.

We trust that the government will accommodate the concerns of almost all non-government organisations that are concerned with the protection of our valuable historic heritage and improve the Framework accordingly.

Yours faithfully,
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