

**Questions and Answers around the Gardens Trust’s statutory consultee role**

23rd June 2025

1. **What does being a statutory consultee mean?**

Local planning authorities and the Planning Inspectorate must consult the Gardens Trust in relation to all planning applications that may affect historic designed landscapes on the national Register of Parks and Gardens of Special Historic Interest in England.

The Gardens Trust is the consultee for sites on the Register at all Grades – Grade I, II\* and II. Grade II sites make up c65% of Registered sites.

1. **When was the Gardens Trust made a statutory consultee?**

The Gardens Trust, and formerly the Garden History Society, has been a statutory consultee since 1995.

1. **What has the government said about the Gardens Trust being a statutory consultee?**

The government has said that there are problems around statutory consultees:

* failing to engage proactively;
* taking too long to provide their advice;
* re-opening issues that have already been dealt with in local plans;
* submitting automatic holding objections which are then withdrawn at a late stage; and
* submitting advice that seeks gold-plated outcomes, going beyond what is necessary to make development acceptable in planning terms.

The Gardens Trust does not recognize the Government’s description of statutory consultees in relation to our work – we respond to consultations in a timely manner, offering constructive pragmatic advice to local planning authorities, with objections in only a tiny minority of cases.

1. **What is the government proposing to do?**

The government has said: ‘We will therefore consult this Spring on the impacts of removing a limited number of statutory consultees. Our initial intention is that this will include Sport England, the Theatres Trust and the Gardens Trust. We continue to recognise the importance of the policy areas with which these organisations are engaged, and recognise their value to local communities.’

You can read the parliamentary statement from Matthew Pennycook, Minister of State for Housing and Planning at: https://questions-statements.parliament.uk/written-statements/detail/2025-03-10/hcws510

You can read the Government public announcement at: https://www.gov.uk/government/news/bureaucratic-burden-lifted-to-speed-up-building-in-growth-agenda

1. **Does the Government’s evidence back up their claims about the Gardens Trust’s performance as a statutory consultee?**

No, it does not. The Lib Dem MP Daisy Cooper has asked about evidence in Parliament:

“To ask the Secretary of State for Housing, Communities and Local Government, on how many occasions The Gardens Trust has (a) not provided a timely response to a request for feedback and (b) provided feedback that was in conflict with matters settled in the relevant local plan as a statutory planning consultee in the last three years.”

<https://questions-statements.parliament.uk/written-questions/detail/2025-03-19/39567>

This was answered as below:

“27 March 2025

The Garden Trust publish data on their work as a statutory consultee as part of their annual general meeting reports. Their 2023/24 Conservation Committee Report, which can be found [here(opens in a new tab)](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fthegardenstrust.org%2Fwp-content%2Fuploads%2F2024%2F08%2FGT-AGM-Committee-reports-2024.pdf&data=05%7C02%7Cpsmatthewpennycook%40communities.gov.uk%7C2c1b2cd2ad934e44301408dd6d0e18b2%7Cbf3468109c7d43dea87224a2ef3995a8%7C0%7C0%7C638786629488343766%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=TKKpIJVY%2BE5bZAfR%2FWoubWw%2FShnzd6ZBA1MP8pYVigc%3D&reserved=0), makes clear that in the year to April 2024, they received 1733 statutory consultations. The Department does not collect data on whether feedback from the Garden Trust is in conflict with matters settled in the local plan.”

Daisy Cooper then tabled the following question:

“To ask the Secretary of State for Housing, Communities and Local Government, pursuant to the Answer of 27 March 2025 to Question 39567 on Local Plans: Gardens Trust, what criteria was applied to the decision to remove the Gardens Trust as a statutory planning consultee.” The answer to this question simply referred back to that of 27th March.

The Conservative MP Nigel Huddleston (previously Heritage Minister) has tabled the question: “To ask the Secretary of State how many planning applications for housing developments in a) Wychavon District Council and b) across England have the Gardens Trust and Sport England contributed to in their capacities as statutory consultees within the last 5 years – how many of these applications have passed and how many refused”. The answer to this question simply referred back to that of 27th March.

**Are MPs doing anything else to help?**

We have written to over 400 MPs and had responses from many dozens, mainly suggesting local meetings in parks and gardens. We are grateful to the County Gardens Trusts for taking the baton from here and carrying on discussions with the MPs, with considerable effect. Many of the MPs have since approached MHCLG, including in Surrey where 5 MPs sent a coordinated joint letter to the Secretary of State, Angela Rayner.

We are delighted that Daisy Cooper MP has tabled an amendment to the Planning and Infrastructure Bill, having already asked several questions in the House of Commons relating to the government’s proposal. Her amendment would ensure that the Gardens Trust is included as a statutory consultee in planning applications - it is NC90 and you can find it on Pages 59-60 at https://publications.parliament.uk/pa/bills/cbill/59-01/0196/amend/planning\_day\_pbc\_0520.pdf

The government explanation of the Bill is that it ‘is central to the government’s plan to get Britain building again and deliver economic growth. The Bill will speed up and streamline the delivery of new homes and critical infrastructure, supporting delivery of the government’s Plan for Change milestones of building 1.5 million safe and decent homes in England and fast-tracking 150 planning decisions on major economic infrastructure projects by the end of this Parliament. It will also support delivery of the government’s Clean Power 2030 target by ensuring that key clean energy projects are built as quickly as possible.’ The Bill has 5 overarching objectives:   Delivering a faster and more certain consenting process for critical infrastructure; Introducing a more strategic approach to nature recovery; Improving certainty and decision-making in the planning system; Unlocking land and securing public value for large scale investment; Introducing effective new mechanisms for cross-boundary strategic planning.

You can read more about it at https://www.gov.uk/government/publications/the-planning-and-infrastructure-bill/guide-to-the-planning-and-infrastructure-bill

1. **How many consultations does the Gardens Trust receive as a statutory consultee, and how many responses does it make?**

In 2024-25 financial year, the Gardens Trust received 1842 consultations. (966 of these were for Grade II sites, 531 were for Grade II\* sites, 345 were for Grade I sites.)

The Gardens Trust made 1289 responses. 372 were bespoke, detailed responses of advice, and 69 of these were objections to the proposals, with another 16 being simply to address that the consultation had not included the correct mandatory information – making objections only 6.6% of our total responses.

1. **The government said that statutory consultees do not provide their responses in a timely manner. Is this true of the Gardens Trust?:**

No. Our database does not record whether we meet deadlines, but we believe that in 2025 we make 90% responses within the 21 day deadline.

1. **The government talks about statutory consultees being blockers to development. Is that true?**

No, that is not true. In 2024-25 the Gardens Trust made only 85 objections, out of 1842 consultations. 16 of these objections were simply because the consultation hadn’t included the required information, and all objections related to fundamental concerns about compliance with national planning policy and legislation. In 2024-25 the GT and CGTs’ limited number of objections included only 1135 new dwellings that would have been built had permission been given by the local planning authorities.

1. **What are Registered Parks and Gardens?**

Established in 1983 following the Heritage Act, the 'Register of Parks and Gardens of Special Historic Interest in England' includes over 1,700 designed landscapes assessed to be of particular significance. It includes gardens, public parks, parkland, cemeteries, industrial landscapes of all ages.

The Register is the park and garden equivalent of listed buildings. The Register is managed by Historic England. A registered park or garden is not protected by a separate consent regime. However, where planning permission is sought for development affecting a registered park or garden, the Local Planning Authority is required to consider the impact of the proposals on the site’s special character and give great weight to its conservation. The National Planning Policy Framework defines registered parks and gardens as designated heritage assets, meaning that substantial harm to, or total loss of, a registered park or garden should be 'exceptional' or 'wholly exceptional', depending on the site's grade.

You can read more about the Register at https://historicengland.org.uk/listing/what-is-designation/registered-parks-and-gardens/

1. **Do historic parks and gardens really matter these days?**

Historic parks and gardens are not simply a ‘nice to have’ cultural asset. They have key roles in addressing issues facing us all in the 21st century, as highlighted by the government’s mission, such as:

* Growing the economy, as historic parks and gardens support well-designed development with ready-made access to pre-existing greenspace. They also add hugely to the UK’s tourism economy, being one of the biggest drivers in this field, nationally and internationally.
* Meeting the challenges of the climate emergency, as landscapes have historically supported the provision of energy use and generation and we are keen to show how this can be done. They are critical too in supporting nature recovery, especially as older, established landscapes support biodiversity significantly more than newly-created open space.
* Fostering safer streets, as public parks play an important role in social cohesion by offering both places to come together and build communities, as well as offering places for wellbeing, play and recreation for all. This is the reason why so many of them were created in the mid-19th century and challenging inter-war periods.
* Ensuring that the NHS is fit for the future, because parks help reduce demand on the NHS by offering free-to-access places to exercise and enjoy fresh air, critical for health and wellbeing.
* Nurturing opportunity for all, because not only does an active parks and gardens sector support inclusive access to leisure but it also offers a range of accessible career pathways.

1. **But do ‘ordinary’ people actually care about historic parks and gardens?**

Not everyone recognises what we mean by ‘historic park or garden’, but they are a huge part of everyone’s lives, and deeply valued. For example:

* People in ‘levelling up’ areas significantly value local parks and green spaces as the thing that most helps foster pride in their local town, city or village, according to the Public First survey commissioned by Historic England in 2018.
* Research commissioned by the Gardens Trust in 2021 found that 75% of those consulted, who are not involved in the Gardens Trust said ‘I’d be devastated if local historic sites/green spaces in my local area were built on’.

1. **Would it save money for the government if it removed the Gardens Trust’s statutory consultee role?**

No. To deliver its statutory consultee role, the Gardens Trust in 2024-25 received a grant of £43,963.00 from the Department of Culture, Media and Sport.

We estimate that the volunteer time that Gardens Trust and County Gardens Trust volunteers contribute to the planning system is £784,960/year.

If English local planning authorities had to employ staff to deliver historic designed landscape expertise in place of the Gardens Trust, we estimate that the cost would be almost £11million annually.

1. **Does it actually matter if the Gardens Trust is no longer a statutory consultee?**

Yes.

There is no one else able to offer expert advice to local planning authorities on planning applications that may affect historic designed landscapes.

Historic England employs only a very small team of landscape specialists and so is unable to tackle this casework. It is only a consultee for Grade I and II\* Registered sites, whereas the Gardens Trust is a statutory consultee for Grade II also.

Local planning authorities critically do not hold internal resource or expertise to ensure good practice for historic designed landscapes.

If local planning authorities have to make planning decisions in a vacuum of information about parks and gardens then the result is likely to be poor quality development and missed opportunities to make the most of the nation’s readymade green infrastructure.

1. **How does the Gardens Trust deliver its statutory consultee role?**

Local planning authorities must consult us on planning applications and they do this by sending details to our colleagues at the Joint Committee of National Amenity Societies, who log it on a database shared with the National Amenity Societies.

We employ a small team of 4 part time conservation staff who pick up the cases from the database. They liaise with hundreds of hardworking dedicated volunteer experts in the local County Gardens Trusts to make informed responses of advice to the consultations.

They are overseen by the Gardens Trust’s Conservation Committee of expert national volunteers.

1. **What is the Gardens Trust?**

The Gardens Trust is the only national organisation exclusively focused on historic designed landscapes, commonly known as ‘historic parks and gardens’. A charity, the Gardens Trust represents and supports the 36 local volunteer County Garden Trusts in England, the Welsh Historic Gardens Trust, and works with related bodies across the UK. The Gardens Trust is the statutory consultee for planning applications which affect parks and gardens. It publishes the Garden History journal, and produces a range of events and training. It invests significantly in public engagement and volunteer support.

1. **What are the County Gardens Trusts?**

There are 36 County Gardens Trusts and between them, they cover the whole of England. There is also the Welsh Historic Gardens Trust.

They are independent grassroots volunteer-led charities, brought together under the Gardens Trust’s umbrella. Their volunteers share their local expertise to inform and support the Gardens Trust’s statutory consultee work. They also undertake professional-standard research and recording work, supporting the Historic Environment Records, Local Plans, Local Lists and the Register of Parks and Gardens.

There is a list of County Gardens Trusts at https://thegardenstrust.org/support-us/find-local-cgts/

1. **What is the GT doing about this?**

We have:

* Officially responded to the government’s announcement and you can read our statement at: <https://thegardenstrust.org/the-gardens-trusts-response-to-the-governments-intention-to-consult-on-removing-it-as-a-statutory-consultee/>
* Written to over 400 MPs, Ministers, members of the House of Lords, and representatives of related organisations. Many of them have responded with support, to request meetings, or contacted the Ministry of Housing, Communities and Local Government (MHCLG).
* Supported parliamentary questions from Daisy Cooper (<https://questions-statements.parliament.uk/written-questions/detail/2025-03-19/39567> and https://questions-statements.parliament.uk/written-questions/detail/2025-03-31/42653) and Nigel Huddleston (<https://members.parliament.uk/member/4407/writtenquestions#expand-1790424>).
* Supported an amendment to the Planning & Infrastructure Bill by Daisy Cooper (https://bills.parliament.uk/bills/3946/stages/19795/amendments/10021776)
* Launched an appeal for financial support:
* <https://thegardenstrust.org/urgent-help-us-fight-for-historic-gardens-and-landscapes/>
* Commissioned professional PR support, resulting in coverage such as https://www.express.co.uk/news/uk/2056670/uk-historic-gardens-parks-threat-labour
* Been gathering statements of support from other organisations – you can read the growing collection at https://thegardenstrust.org/support-us/letters-of-support/.
* Undertaken discussions with the Ministry of Housing, Communities and Local Government (MHCLG) and provided evidence as to the importance of our work.

1. **What is the Gardens Trust doing next?**

* Contacting MPs, peers, and sector organisations to highlight our work and the importance of the statutory consultee role.
* Liaising with MHCLG and DCMS to contribute to discussions around the review of statutory consultees.
* Responding to the public consultation when it is live later this year. The Gardens Trust response will robustly contest any proposal to remove it as a statutory consultee, and we have the support of other organisations.
* Publishing a report on The Role of Historic Parks and Gardens in the 21st Century, which will be published in Autumn 2025.

1. **How can I help?:**

* Write to your MP to let them know you think this is wrong and to ask them to ensure that the government properly bases its decisions on the evidence and consultation responses. You might want to include some of the facts from this sheet, and maybe reference a Registered Park or garden in your constituency. You can search for Registered parks and gardens at <https://historicengland.org.uk/listing/the-list>. In particular, please urge them to support Daisy Cooper’s tabled amendment to the Planning & Infrastructure Bill – you can read more about this at https://bills.parliament.uk/bills/3946/stages/19795/amendments/10021776.
* Respond to the government’s public consultation when it is launched in the coming months. The Gardens Trust will post its response early, so you can use it to inform your own response.
* Donate to the Gardens Trust’s appeal at https://thegardenstrust.org/urgent-help-us-fight-for-historic-gardens-and-landscapes/
* Share on social media. Find us on Facebook, Twitter, Instagram, LinkedIn and TikTok as @thegardenstrust