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9th March 2026

The Gardens Trust's Views on the National Planning Policy Framework: Proposed Reforms and Other Changes to the Planning System (Published 16th December 2025)

The Gardens Trust

The Gardens Trust is the only national charity dedicated to protecting and conserving our heritage of designed landscapes. We campaign on their behalf, undertake research and conservation work, and encourage public appreciation and involvement. We collaborate with the 35 local County Gardens Trusts across England.

The Gardens Trust is the statutory consultee for planning applications for 'development likely to affect' sites on the Register of Parks and Gardens of special historic interest at Grade I, II* and II: currently a total of 1,720.

The Gardens Trust has been a statutory consultee since 1995 and in 2024-25 received 1,849 consultations from Local Planning Authorities, making 1,289 responses. 96 of these were objections to the proposals (7.4%). The Gardens Trust assess that 90% of their responses were given within the 21-day deadline. For more information, please see the attached appendix.

The Gardens Trust's response draws on advice from a team of eight leading experts in the historic environment and planning sector. They have been professionally involved with planning, change and the conservation of historic parks and gardens since the 1980s, particularly in the application of the National Planning Policy Framework (NPPF) since it was adopted in 2012 and before that PPGs from 1994 onwards. This response also reflects contributions from various affiliated County Gardens Trusts whose volunteers also include a high level of garden history and planning system expertise.

We have prepared our response in discussion with other historic environment expert bodies. Historic England has submitted detailed comments on plan-making frameworks, and decision-making policies and we endorse those relevant to our concerns as well as the views submitted by the other national amenity societies and World Heritage UK. We offer further views on historic environment and landscapes in relation to conserving historic parks and gardens, and other historic designed landscapes and in particular designated sites on the Register of Parks and Gardens of special historic interest in England

Form of our Response

We have submitted our response below in two parts:

- a) Identification of key issues with advice relating to heritage and historic parks and gardens.
- b) A table addressing directly specific chapters and policies of the NPPF draft text in sequential order.

In our responses in the table we have identified issues and where possible advised amendments.

In scrutinising the draft text it was not possible to cross-reference coherently and consistently the points we have raised with most of the questions posed by MHCLG which are so numerous, extensive and complex, except for Questions 185 and 186 which are dealt with specifically in Section 4 below, relating to implementing the additional regard duties for development under Section 102 of the Levelling-Up and Regeneration Act. In any case, we want to make important points beyond the scope of the questions.

Yours sincerely

John Watkins

The Gardens Trust Chairman

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The Gardens Trust welcomes the aims to clarify the National Planning Policy Framework (NPPF). This 'seismic regearing' (MHCLG 'Proposed reforms' page 10) also opens up the opportunity to clarify how we conserve and protect our park and garden heritage through planning policy and statutory status.

We have identified below five main issues relating to the historic environment and historic parks and gardens plus gaps in the Glossary and the Annexes. We offer comments and advice on appropriate and proportionate revisions which should be read in conjunction with the detailed table of comments, and also advice from Historic England and the other national amenity societies and World Heritage UK.

1. Recognising the value and extent of the historic environment throughout the NPPF

The development of sustainable healthy communities and environments is critical for our generation and for our successors. We recognise the need for change as identified in government policies and are keen to guide how historic parks, gardens and green spaces and the wider historic environment can contribute to sustainable development by meeting the needs of the present without compromising the ability of future generations to meet their own. We wish to ensure that policies relating to change affecting the historic environment are clearly set out and easy to navigate to ensure a high quality of life for all with this aspect appropriately respected and embedded at its heart.

The historic environment is a fragile and vulnerable resource, but a sustainable one if its significances are recognised and appropriately safeguarded. We welcome restatement that the historic environment is as an irreplaceable resource in the draft NPPF and the aim to conserve and enhance it. Policies need to ensure that, like all assets and infrastructure, it is looked after and kept sustainable.

Our historic and mature parks, gardens, cemeteries and other green spaces are often the largest green infrastructure features, and they have a vital role in tempering climate change heat island effects and providing respite from hot days, filtering pollution, providing much needed outdoor exercise, recreation and relaxation, and contribute to nature recovery. Historic England's research has shown that the vast majority of our buildings for the next 30 years is already constructed. This is even greater for parks and green infrastructure. The opportunity to create large new public parks probably only comes round itself once in a generation. Therefore, we must carefully look after existing infrastructure for its cultural and historic values and embodied carbon. It is critical these green spaces are well looked after to ensure their

full functionality now and for future generations. Historic parks and gardens as existing green space are already making a significant contribution to green infrastructure and must be considered in this context as well as that of the historic environment.

We also advise that the NPPF should be informed and supported by the national land use framework proposed by the government (Defra 2025 <https://consult.defra.gov.uk/land-use-framework/land-use-consultation/>). We support better spatial planning and call for registered and non-designated historic parks and gardens and other designed landscapes to be recognised in such land mapping as irreplaceable heritage assets and for their wider multiple benefits.

2. Integrating heritage in all the NPPF chapters from meeting the challenge of climate change, the economy, to creating high-quality sustainable places as well as conserving and enhancing the environment

We welcome the new format and structure of the draft NPPF which has separate plan-making policies and national decision-making policies, and we endorse the approach cited in the explanatory document p.15 Policy Change No.12 that, 'Taking a more positive approach to the use of heritage assets. We want a clearer and more positive approach which can better support suitable heritage-related development, replacing the current policies that are difficult to navigate'.

At the beginning of the draft NPPF (Chapter 1. Introduction paragraphs 6 and 7) it is stated that the document should be read and used as a whole, implicitly including Chapter 20 'Conserving and enhancing the Historic Environment'. We welcome this clarity but advise that to ensure a strong understanding of this holistic approach, then 'must' rather than 'should' be used.

We concur with the note in Chapter 3 Decision-making policies, Policy DM1.2 that this subject is a complex planning matter. We greatly welcome this clear acknowledgement that heritage is complex and specialised. It therefore requires similar levels of expertise to other technical subjects. The sector takes a constructive conservation approach to managing change in the historic environment including historic parks and gardens. Adopting a positive, well-informed and collaborative approach, innovative solutions can often be found that also safeguard against the loss of significance.

The focus on the historic environment with its own thematic chapter underlines the importance of our heritage and is welcomed. However, as noted above, in the rest of the document we advise that the

historic environment should be embedded as a core element of the decision-making but at present appears to be a peripheral one. This could lead to its consideration as a last resort not as an equally valid aspect alongside the other policies such as climate change and flooding. This would help to arrive at a more sophisticated integrated approach to the historic environment in which skills can unlock potential rather than as an afterthought with diminished resources.

Embedding greater explicit reference to the historic environment throughout the document would improve clarity and consistency of its relationships with other topics addressed document-wide. It would ensure the historic environment is fully considered to ensure no loss of significance by being inadvertently overlooked. We therefore advise that relatively small amendments to policy wording throughout the draft would help to redress this potential negative perception and provide mitigation and greater clarity (see the table of comments below).

We advise that the Introduction, Chapter 1, should be amplified to set out the need to consider the historic environment in the implantation of all policies. As well as Chapter 20 we think there should be significant additional references in Chapters 2, 4, 8-11, and 14 (see comments table below).

One example of potential oversight is in policies on design guides (Chapter 14. DP1). These should advise not only on obtaining quality design but ensuring that it respects and integrates local historic features and character. We advise that an ideal way to do this is to replicate guidance in Chapter 11. M4.1.a (page 51): 'Not to have unacceptable adverse impact on the natural and historic environment more widely used in other policies ...'

We are concerned that the wording in the draft NPPF on assessing change tilts the overall balance so that the historic environment could be regarded unjustifiably as of lower weight in the balance alongside other matters.

It is important to have the separate chapter on the historic environment for this complex specialist subject. We welcome the progression, clear layout and logical sequence of policies in this chapter; strengthening of pre-application and applicant preparation of significance statements in HE1.1.b; and of the weight and protection clearly identified for local lists of non-designated heritage assets in HE5.1 although these need to substantial work to adequately address our designed landscape heritage. We do have views on policies for registered parks and gardens as explained below.

3. Strengthening recognition of, and advice relating to, registered parks and gardens and other designed green spaces

We are pleased that the government continues to recognise the importance of registered parks and gardens, and their value to local communities. The NPPF ensures that these interests are considered in the planning system, both in plan making and decision making. It is the only protection afforded to Registered Parks and Gardens as there is no statutory consent scheme.

Beyond this we have identified the following key points that are of particular concern for their potential effect on historic parks and gardens within the wider historic environment discipline. These points are briefly identified along with other issues in the separate table of more detailed advice together with advised amended wording where relevant.

3a) Registered parks and gardens need to be addressed as a separate historic environment subtopic

We strongly advise that registered parks and gardens should now be addressed in a new, separate historic environment topic sub-section alongside Conservation Areas, World Heritage Sites and Archaeology because of their complex and specialist spatial nature and their role in delivering other NPPF aims as explained below.

All registered parks and gardens are of special historic interest in the national context whatever their grade. Each site is unique even within a single designed landscape type and each site contributes to the story of England's garden history. These designed landscapes are extensive covering many hectares and complex with many features including wildlife habitats, and multiple land uses. Most will include other designated heritage assets and also SSSIs, local wildlife designations, ancient and veteran trees. Development proposals affecting all these sites warrant thoughtful design and careful appraisal at planning application stage.

Although the Historic England definitions for the grades of registered parks and gardens and listed buildings are similar, the NPPF needs to make the distinction that they require different policy approaches to reflect their national context status, landscape scale designation type, and exemplary/representative and living heritage nature. This is a particularly acute issue for Grade II registered parks and gardens. For example, there are some 500 identical Grade II listed K2 telephone boxes and in comparison, there are 1,113 individually designed landscapes graded as II on the Register of Parks and Gardens. Even within a designed landscape type such as the diverse canon of public parks, there are only some 300 registered sites, a small percentage of the thousands of parks of historic interest across the country. The registration process is very

selective. Many Grade II registered sites may have merited higher grading had their historic interest not been undermined by past developments, however this can sometimes be reversed through restoration. For example, in 2013 Historic England review the grades of public parks restored under the National Lottery Heritage Fund grant programme and some 25 were upgraded to Grade II*.

Policy approaches for SSSIs such as 'no adverse effect' and scheduled monuments are closer parallels for registered parks and gardens than listed buildings. The draft NPPF policy for veteran and ancient trees, which are nearly always in registered or non-registered historic parks and gardens, rightly protects these living heritage assets with total refusal of development proposals that harm them yet at present their landscapes have less protection.

Therefore, we urge that the new NPPF HE6 is revised so that harm to all registered parks and gardens and their settings, no matter what grade, should be wholly exceptional. This would also achieve consistency with the other land designations – battlefields, scheduled monuments, World Heritage Sites and better alignment with nature environment policies and streamline policy for developers and decision-makers. We advise that it is now timely and progressive for the NPPF to address registered parks and gardens as a subtopic and follow the format for World Heritage Sites and Conservation Areas.

The addition of this separate historic environment subtopic would be of particular assistance in the clarification and application of the various policy HE6 'Proposals affecting designated heritage assets' as applied to registered parks and gardens. This particular type of heritage asset, if neglected, does not decline at the same catastrophic rate as buildings, but can withstand a much longer-term decline without loss of intrinsic heritage significance. Indeed, benign neglect can be preferable to irreversible change to registered parks and gardens which causes substantial or even less than substantial harm to the overall significance. This contrasts with the scenario in which substantial harm of a development to built heritage is allowed where all other options are exhausted and benefits outweigh harm.

3b) Reinstate 'less than substantial harm'

The term 'less than substantial harm' has been removed from the scale of harm (Policy HE6.1). The remaining term 'harm' is so broad as to be almost opaque and in this case its use will lead to a loss of clarity for decision-makers and applicants. As we have observed over many years of casework in advising on applications affecting registered parks and gardens, in applying the scale of harm we believe that it is essential to specify the category, 'less than substantial', to allow a more detailed and nuanced assessment. This has been shown to be a key tool in applying this part of the guidance in case law in which varying levels of 'less than substantial' harm are identified. This applies particularly to registered parks and gardens which

include many sites covering many hectares, within each of which can be numerous areas of varying character and significance. In this respect registered parks and gardens are unique amongst designations and require this more nuanced distinction.

In discussion of harm which is less than substantial (Policy HE6.4) it is essential to refer to the setting. This would be clearer if the category of 'less than substantial harm' was explicitly referred to.

We therefore strongly advise reinstating the term 'less than substantial harm' to the scale of effects in Policy HE6.1, in the penultimate line instead of 'harm'.

We also advise that in Policy HE6.3 the text of first sentence should be amended to read: 'Where a development proposal would cause less than substantial harm to the significance of a designated heritage asset resulting from its alteration or destruction, or from development within its setting, the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal, and demonstrate clear and convincing justification.'

3c) The need to clarify weighting of development proposal effects on heritage assets

We appreciate that the change of wording in Policy HE6.1 is intended to provide consistency in the terminology of weighting between NPPF chapters. However, we are concerned the change of terminology from 'great weight' to 'substantial weight' will weaken protection to heritage assets as, the historic environment could wrongly be regarded as relatively less important. We agree with Historic England's points on 'weighting'.

We advise a simple amendment to the wording that would resolve this as follows: 'When considering the potential effect of a development proposal on a designated heritage asset, the asset's conservation must be fully addressed. The more important the asset, the greater the weight should be. This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.'

3d) Substantial harm should be wholly exceptional for all grades of registered parks and gardens and their settings

Policy HE6.5 sets out that 'Within this context, development which would cause substantial harm to, or the total loss of, the significance of grade II listed buildings, or grade II registered parks or gardens, should be exceptional; while development which would cause substantial harm to, or the total loss of, assets of the

highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

There are relatively few registered parks and gardens (currently 1,720) compared to listed buildings (379,644), scheduled monuments (19,997) and even SSSIs (4,100 sites/8% of the land area). Harm to all registered parks and gardens, no matter their grade, needs to be regarded as 'wholly exceptional'. In addition, the reference to setting in the current NPPF (7 February 2025) paragraph 213 has been omitted to which we object strongly and ask for its reinstatement. Views, vistas and settings are important aspects of designed landscapes on the Register of Parks and Gardens. Although these are not currently mapped in the National Heritage List for England, it would be possible to do so as demonstrated in the Welsh government's DataMapWales.

We therefore advise that the text should be amended to read: 'Within this context, development which would cause substantial harm to, or the total loss of, the significance of grade II listed buildings should be exceptional; while development which would cause substantial harm to, or the total loss of, assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* Listed Buildings, all registered parks and gardens, and World Heritage Sites, should be wholly exceptional. This should include change causing substantial harm to or total loss of its setting.'

3e) The need for clarity of statutory status for registered parks and gardens

Implementation of the additional regard duties under Section 102 of the Levelling-Up and Regeneration Act 2023 is essential to improve recognition and protection for registered parks and gardens and to clarify the statutory status of designated sites. The Register of Parks and Gardens is a statutory list set up under powers set out in section 8C in the Historic Buildings and Ancient Monuments Act 1953 (as inserted by the National Heritage Act 1983-4) but the status of individual sites has been treated as ambiguous.

4. Implementing the additional regard duties for development

4a) Response to MHCLG Q.185: We strongly agree the government should implement the additional regard duties under Section 102 of the Levelling-Up and Regeneration Act.

We strongly agree and support this proposal. As in a previous MHCLG consultation, we restate that the commencement of s102 is a vital step in addressing the disparity in the protection of registered parks and gardens compared to listed buildings (both of which are statutory designations, and of 'special interest')

and other natural environment designations by introducing a statutory duty to have special regard to the desirability of preserving or enhancing registered parks or gardens and their settings.

Commencement of s102 will clarify the statutory status of individual registered Parks and Gardens and strengthen the NPPF approach. It is long overdue.

4b) Response to MHCLG Q.186: evidence of the impact of implementing the additional regard duties for development

Rather than create additional duties, commencement of s102 will clarify the statutory status of individual registered parks and gardens, and the other designations, and strengthen the NPPF approach. It is long overdue.

Commencement of s102 would bring about a step change in the misrepresentation, and therefore misunderstanding of the significance, of registered sites in range of tools such as the government's www.magic.gov.uk (geographic information system) used for planning applications and grant schemes where registered sites are listed as 'historic non-statutory' to analyses offered in planning application-related environmental impact assessments. Implementation of s102 should result in better informed development proposals and the reduction in unintended harm to sites.

Our casework shows that a very large proportion of applications do not adequately address affected registered sites in their assessment documentation, probably only one in ten. Having 'special regard' should result in the validation of fewer relevant applications when this information is missing and may improve both appropriate and timely consultation and promote fully informed decision-making.

We also anticipate that commencement of s102 is likely to help reinforce that there is a statutory requirement for local planning authorities to consult where these designated assets are likely to be affected by development proposals and ensure appropriate expert advice is sought earlier in planning application appraisals.

5. The need to increase specialist advisory resources to ensure no loss of significance of designed landscapes of historic interest

There is little reference to the Statutory Consultee role in the draft NPPF and the valuable expert advice that organisations such as The Gardens Trust provides. We advise that the Statutory Consultee role should be given greater prominence in the main text (e.g. reference in Chapter 20 Policy HE5.4) and be given an entry in the Glossary to ensure that it is fully understood as an expert advice resource. The Gardens Trust has provided detailed advice to MHCLG in its response to 'Reforms to the Statutory Consultee System' consultation.

Ensuring that the implementation of policies adequately regard the historic environment, and particularly historic parks and gardens, will have resource implications in sourcing expert advice and ensuring competency and supply of expert practitioners.

Specifically in the case of registered parks and gardens and other historic green infrastructure significantly more specialists are needed to support local planning authorities and other decision-makers to engage with pre-application advice and for decisions on this and submitted applications to be appropriately informed. In principle, The Gardens Trust would be interested to expand its Statutory Consultee role to advise on non-designated historic parks and gardens, but it would require significant additional funding from government. Current casework costs already exceed our government grant.

Suggested amendments to the Glossary, Annex B

In addition to the advice from Historic England on the Glossary in Annex B, we would like to highlight the desirability of:

Clarifying the definition of Grey Belt to say explicitly that nationally and locally identified historic designed landscapes should be excluded with the proposed amended text extended to add at the end: 'Previously developed land does not apply to parks or gardens.'

Amending the definition of Green Infrastructure to highlight historic interest which could range from veteran or ancient trees to canals and include many different green spaces from housing schemes to commons. We suggest the current definition could be simply augmented as follows: 'A network of multi-functional green and blue spaces and other natural and historic features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity. It includes parks and gardens, cemeteries, allotments, orchards and other green spaces, green and blue corridors such as street trees and hedges, rivers and canals, sustainable drainage systems, features for species, street trees and community orchards and new features such as sustainable drainage systems, pocket parks, and community 'growing your own' initiatives.'

For consistency and clarity the Glossary should include definitions for seven further terms as follows (in alphabetical order):

1. Heritage Impact Assessment
2. Non-designated designed landscapes of historic interest
3. Registered parks and gardens
4. Statutory Consultees to refer to their expert advisory role in this context
5. Sustainable Development to highlight the role of the historic environment in many of the UN goals
6. Urban greening
7. World Heritage Sites (and Outstanding Universal Value) and their Buffer Zones

The Gardens Trust Comments on Specific NPPF Chapters, Policies and Paragraphs

Abbreviations:

RPG = Register of Parks and Gardens/registered park and garden**LB = listed building**

Page no.	Chapter	Policy/ paragraph	The Gardens Trust Comment	The Gardens Trust advised amendment to text or action for MHCLG
3	1	6	While the plan-making policies form part of the whole NPPF, for clarity this should be emphasised still further and given greater weight here and in the introduction to Annex A.	Alter wording to emphasise this here and in the introduction to Annex A as follows: 'The plan-making policies must be read as a whole ...'.
3	1	7	While the national decision-making policies should be read as a whole, for clarity this should be emphasised still further and given greater weight here.	Alter wording to emphasise this: 'The plan-making policies must also be read as a whole ...'.
7	2. PM	PM 1.2	Applying an appropriate level of consideration of heritage matters is needed in guiding development location and design	After Subsection 1.2.e add new subsection f. addressing appropriate level of consideration of heritage matters in guiding development location and design.
9	2. PM	PM3	Minerals and waste plans should reiterate strategic and local policies on specific topics such as heritage. Allocated sites and Mineral Safeguarding Zones should include policies to ensure appropriate assessment and mitigation ahead of extraction - and appropriate	Add new subsection to PM3 advising that Minerals and waste plans should reiterate strategic and local policies on specific topics such as heritage. Allocated sites and Mineral Safeguarding Zones should include policies to ensure appropriate assessment and mitigation ahead of extraction - and appropriate ground restoration following decommissioning including consideration

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			ground restoration following decommissioning including consideration of landscape character and effect on any heritage assets.	of landscape character and effect on any heritage assets.
17	3. DM	DM1.1.a	There is in invidious disparity in the protection of RPGs compared to listed buildings (both of which are statutory designations, and of 'special interest'). We advise the introduction of parity of RPGs with LBs	Commence s102 of the Levelling-up and Regeneration Act 2023 for parity in consent processes, at least in part, by introducing a statutory duty to have special regard to the desirability of preserving or enhancing RPGs or their setting.
17	3. DM	DM1.1.b.i	Reference to mitigation measures is needed here to balance with DM1.1.b.iii.	Add new reference to ensuring explanation of provision of mitigation in recognition of any harm the development may bring.
17	3. DM	DM 1.1.b	Reference to nature and historic environment significances is required.	Add item (iv) covering constraints identified e.g. nature and heritage significances.
17	3. DM	DM1.2	We greatly welcome the acknowledgement in the final sentence that heritage is a complex planning matter.	Retain this sentence.
18	3. DM	DM3.d	We welcome this guidance on consulting unnecessarily because of the existing amount of unnecessary consultation which has notable resource issues for the Gardens Trust.	Retain this guidance.

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23	4. S	S4.1.a ii	It is crucial that this subsection refers explicitly to the historic environment as it is equally relevant to other policies cited.	Add reference to Designated heritage assets Policy HE4 Securing the conservation and enhancement of heritage assets.
24	4. S	S5.1	We are most concerned that a very high test has been introduced for refusal in the term 'substantially outweighed'. We do not believe that this level of weight is reasonable when assessed against the substantial harm indicated in Chapter 20. The significance of RPGs is often at risk from insensitive development such as agriculture, horticulture and forestry; outdoor sport and recreation; mineral extraction; engineering operations and infrastructure, tourism facilities, redevelopment of golf courses and hotels etc.	Review the introduction wording to ensure that the significance of heritage assets is not harmed.
29-92		In particular CC3, DP3, N1, N2	There is a pressing need throughout the draft to emphasise the conservation of existing as well as the creation of new green infrastructure.	

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42	8. TC	TC1.1.b	This section should also refer to the historic environment.	Add new subsection iv.: to identify, conserve and where possible enhance historic assets of local and national significance see Policy HE4: Securing the conservation and enhancement of heritage assets.
43	8. TC	TC2.1	This section should also refer to the historic environment.	Add new subsection c. to ensure that the historic environment is explicitly addressed in plan-making (HE1) as this often makes a great contribution to town centres including RPGs and locally significant non-designated Heritage Assets.
44	8. TC	TC4.2	This section should also refer to the historic environment.	Add new subsection c. specifically referring to the historic environment and Policy HE4 'Securing the conservation and enhancement of heritage assets' by adopting an holistic and positive approach to development incorporating historic assets.
45	9. CO	CO1.1.b	This section should also refer to the historic environment.	Add note to 1.1.b that this strongly relates to HE4 Securing the conservation and enhancement of heritage assets particularly RPGs.
46	9. CO	CO2.1.	This section should refer to the need to engage with heritage assets.	Add item e. identifying need to engage with heritage assets as in HE4 Securing the conservation and enhancement of heritage assets and the effects on them HE5: Assessing effects on heritage assets.

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47	10. W		This chapter should refer to the need to engage with heritage assets.	Add subsection identifying need to engage with heritage assets as in HE4 Securing the conservation and enhancement of heritage assets and the effects on them HE5: Assessing effects on heritage assets.
49	11. M		This chapter should refer to the need to engage with heritage assets. See comment on PM3 above. The two should dovetail.	Add subsection identifying need to engage with heritage assets as in HE4 Securing the conservation and enhancement of heritage assets and the effects on them HE5: Assessing effects on heritage assets.
65	14. DP	DP1	The role of heritage assets is understated in guidance on design guides which should advise not only on obtaining quality design but ensuring that it respects and integrates historic features where present.	An ideal way to ensure the historic environment is fully integrated is to replicate guidance in M4 1a (page 51) in DP1: 'Not to have unacceptable adverse impact on the natural and historic environment'.
75	16. HC	HC6.2	We object to the last sentence of this policy for retention of key facilities as being vague and potentially damaging.	Omit last sentence: 'The policy applies only where the facility would be the last of its type in the area concerned.'
76	16. HC	HC7.1	The list of types of open recreational spaces omits public parks which are a key part of the urban fabric. Many are also of national significance on the RPG or of local significance.	Add reference to public parks in the list of open spaces.

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	17	Whole subject	Pollution can harm historic parks and gardens and mar people's enjoyment of them. In turn, trees and hedges can help mitigate pollution.	
	18	F8	Historic parks and gardens can contribute to sensitively designed sustainable drainage systems and the Gardens Trust supports the improvement of water quality in historic parks and gardens however re-naturalisation may not be appropriate. The policy wording needs to be clear about historic designed landscape considerations.	Revise wording to read: '...in other environmental or historic designed landscape harm'.
87-91	19	Whole subject	Historic parks and gardens, and other designed green spaces, are also part of our natural environment and important habitats. The natural environment value reflects its history. The Gardens Trust supports BNG and would like to see the concept extended to holistic environmental net gain approach that addresses historic interest and amenity	The interrelationship of the natural and historic environment needs to be clearly stated. There should be a policy that encourages the integrated management of the historic and natural environment where possible.

Page no.	Chapter	Policy/ paragraph	The Gardens Trust Comment	The Gardens Trust advised amendment to text or action for MHCLG
		N2d	potential of sites as well as biodiversity. N2d is very important and should explicitly refer to the conservation of historic parks and gardens. There have been a number of misguided schemes that harm rather than enhance historic parkland.	Add to text ‘....(such as established trees, hedgerows, and parkland)’
92	20. HE	Whole subject	The historic environment is a fragile and vulnerable resource. We welcome the continued recognition in the provision of this chapter that it is an irreplaceable resource i.e. it is not sustainable in itself, but it needs us to look after it. The detachment of Chapter 20 Historic Environment from the rest of the NPPF offers clarity in this topic. However in the rest of the NPPF the historic environment is not explicitly embedded as a core element of the decision-making. Instead it makes occasional appearances as a peripheral consideration. This and its	Embedding greater explicit reference to the historic environment throughout the document would improve clarity and consistency of its relationships with other topics addressed document-wide. It would ensure the historic environment is fully considered to ensure no loss of significance by being inadvertently overlooked. We suggest embedding references to HE in policies as detailed above (Chapters 2, 4, 8-11, 14). In these we have identified the Chapters and Policies in which the historic environment should be explicitly referred to, in order to ensure it is clearly recognised as a core element of the environment. We advise that as a minimum these references should be added for clarity and consistency.

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			physical position as the last policy chapter in the main document could lead to its consideration as a last resort not as an equally valid aspect alongside the other key aspects such as Climate Change and Flooding.	
92	20. HE	Introduce parity for RPGs	There is no separate consent regime for RPGs even though the Register is a statutory list. The planning system plays a very important role in the conservation of our designed landscape heritage.	Commence s102 of the Levelling-up and Regeneration Act 2023 so there is a statutory duty to have special regard to the desirability of preserving or enhancing RPGs or their setting.
93	20. HE	HE2	We welcome the policies applying directly to World Heritage Sites, particularly those including RPGs but as indicated in our comments on DM1, HE2, and HE6. We advise that this should be expanded to explain the exceptionality of the Sites and their international values and obligations.	Amend the structure and text of the policies to detach Conservation Areas and World Heritage Sites HE2) into two separate sections.
93	20. HE	HE2.2	Conservation Areas designation should explicitly include designed landscapes as part of the architectural and historic interest of areas. Some designated	Add final sentence: 'Conservation Areas should explicitly include locally and nationally significant designed landscapes in capturing architectural and historic interest of areas.'

Page no.	Chapter	Policy/ paragraph	The Gardens Trust Comment	The Gardens Trust advised amendment to text or action for MHCLG
			Conservation Areas omit RPGs and locally important historic designed landscapes or even draw a boundary line through them. There are models of good practice models e.g. Mentmore, Bucks where RPG included.	
93	20. HE	HE3	To date, RPGs and locally important historic designed landscapes are generally poorly recorded in Historic Environment Records and Local Lists. Guidance needs to be more explicit about these assets.	Add sentence that guidance needs to be more explicit about these assets.
93	20. HE	HE4.2	We commend and endorse this sentence ensuring that clear and convincing justification is essential if harm to significance of heritage assets cannot be avoided.	Amend within the policies in this chapter and wider Framework where relevant.
94	20. HE	HE5	Heading requires clarification as it refers to assessing change.	Amend heading to: 'Assessing Change to Heritage Assets'
94	20. HE	HE5	In assessing the effect on World Heritage Sites, there is a need to align specific policies to address the dual responsibility and priorities for ensuring the protection	Align specific policies to explain the dual responsibility and priorities for ensuring the protection of WHSs in the English planning system in order to fulfill the requirements and international obligations to UNESCO.

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			of WHSs in the English planning system while fulfilling the requirements and international obligations to UNESCO.	
94	20. HE	HE5.2.c	This paragraph refers to degrees of harm. While substantial harm is defined there is no guidance in assessing any lesser degree of harm, i.e. that is less than substantial harm.	Add guidance on how to assess degrees of less than substantial harm.
94	20. HE	HE5.4	Statutory Consultees should be listed here as a key source of expert advice to decision makers.	Amend to read: 'Decision makers should be satisfied that this assessment accurately reflects the effects on heritage assets caused by the proposals, advised by Statutory Consultees where appropriate.'
94	20. HE	HE5.5	HE 5.5 refers to archaeological interest because of the separate consent regime but equally applies to the rest of the historic environment.	Add new subsection HE5.5.6 relating to other designated and undesignated but locally important heritage assets: 'Where a development proposal involves, or has the potential to involve other designated and undesignated but locally listed heritage assets, an appropriate desk-based assessment should be employed and, where necessary, a field evaluation.'
94	20. HE	HE6	Heading requires clarification.	Amend heading to: 'Degree of change resulting from proposals affecting designated heritage assets.'

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94	20. HE	HE6.1	We strongly disagree with change from treating with 'great' to 'substantial' weight even though it reflects other references document-wide. We believe this will reduce the weight given to the historic environment. In order to achieve an understanding of parity of weighting, we advise a simple amendment to the wording that would resolve this as set out:	Amend text as follows: 'When considering the potential effect of a development proposal on a designated heritage asset, the asset's conservation must be fully addressed. The more important the asset, the greater the weight should be. This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.'
94	20. HE	HE6.1	The term 'less than substantial harm' has been removed from the scale of harm. The term 'harm' is too broad and opaque to be meaningful in RPGs which can cover large areas and include numerous heritage, wildlife and other amenity features. Many years of casework indicate that it is essential to identify harm in more detail as this has proved a key tool in applying the guidance in case law. We strongly advise that it should be reinstated.	Reinstate the term 'less than substantial harm' to scale of effects in penultimate line instead of 'harm'.

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95	20. HE	HE6.3	In discussion of harm which is less than substantial (dealt with in HE6.4) the setting should also be mentioned. This would be clearer if the category of 'less than substantial harm' was explicitly referred to.	Amend text of first sentence to: 'Where a development proposal would cause less than substantial harm to the significance of a designated heritage asset resulting from its alteration or destruction, or from development within its setting, the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal, and demonstrate clear and convincing justification.'
95	20. HE	HE6.3	We are concerned about the second sentence referring to '...enabling energy efficiency and low carbon heating measures to be employed', as the interpretation might be extended to include a presumption in favour of consideration of large-scale low carbon energy projects, such as solar farms and wind turbines, which harm the fabric and setting of RPGs.	Amend the text of second sentence to include the words '... which do not harm the designated heritage asset' as follows: '...enabling energy efficiency and low carbon heating measures to be employed which do not harm the designated heritage asset',
95	20. HE	HE6.4.b	This requires clarification to be more robust in the rigour of information supplied by the applicant.	Amend text to: 'No suitable use for the heritage asset itself can be found in the medium term through a demonstrably robust process of appropriate marketing that will enable its conservation'
95	20. HE	HE6.4.c	This requires clarification to be more robust in the rigour	Amend text to: 'Conservation by grant-funding or some form of not for profit,

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			of process and information supplied by the applicant.	charitable or public ownership has been reasonably shown to be not possible; and ...'
95	20. HE	HE6.5	Grade II RPGs are of special historic interest in the national context. There are only 1,113 Grade II RPGs compared to 370,000 Grade II Listed Buildings. Damage to this very small group of RPGs designated for their national interest should therefore be included within the 'wholly exceptional' category. The reference to setting in the previous NPPF paragraph 213 has been omitted to which we object strongly and ask for its reinstatement.	Amend text to: 'Within this context, development which would cause substantial harm to, or the total loss of, the significance of grade II listed buildings should be exceptional; while development which would cause substantial harm to, or the total loss of, assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, registered parks and gardens, and World Heritage Sites, should be wholly exceptional. This should include change causing substantial harm to or total loss of its setting.'
95	20. HE	HE 7	The setting of non-designated heritage assets is not mentioned and this requires clarification that it too can be of relevance to the significance.	Amend text to: 'Where a development proposal would cause harm to, or the total loss of, the significance of a non-designated heritage asset or from change within its setting, it should only be supported ...'
96	20. HE	HE8	In England four UNESCO World Heritage Sites inscribed in part or wholly for their historic parks and gardens are also RPG. Many others fall within WHSs. We therefore welcome policy	Expand Policy HE8 World Heritage Sites to acknowledge the exceptionality of WHSs.

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			HE8, particularly HE8.1.a emphasising the importance of World Heritage Buffer zones and settings to Outstanding Universal Value. We advise that this significance should be reflected more consistently throughout the relevant Chapters of the NPPF and be central to a separate set of or expanded specific independent World Heritage Site policies.	Reflect the significance of WHSs consistently throughout the relevant Chapters of the NPPF and be central to a separate set of or expanded specific independent World Heritage Site policies.
96	20. HE	HE8.3	We welcome this protection for the significant setting of World Heritage Sites.	-
	20. HE	HE11	This also relevant to RPGs and for clarity should be explicitly mentioned.	Amend text to: 'Development proposals to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), including those with RPG or other historic landscape setting should retain the feature in situ wherever possible ...'
98	Annex A	Para. 1	In relation to Section 1.6 as noted above the plan-making policies form part of the whole NPPF. For clarity this should be emphasised still further and given greater weight in this Chapter and in the introduction to Annex A.	Amend text to: 'The policies in this entire Framework are material considerations which must be taken into account in decision-making from the day of its publication.'

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105	Annex B	Glossary	Grey Belt: The definition should clarify explicitly that nationally and locally identified historic designed landscapes are excluded.	Amend text to add at the end: 'Previously developed land does not apply to parks or gardens.'
105	Annex B	Glossary	Green Infrastructure: The definition should identify and therefore clarify the range of landscape types.	Amend text as follows: 'A network of multi-functional green and blue spaces and other natural and historic features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity. It includes parks and gardens, cemeteries, allotments, orchards and other green spaces, green and blue corridors such as street trees and hedges, rivers and canals, sustainable drainage systems, features for species, street trees and community orchards and new features such as sustainable drainage systems, pocket parks, and community 'growing your own' initiatives.'
	Annex B	Glossary	Non-designated designed landscapes of historic interest. A definition is needed.	To add definition. This should identify and therefore clarify the range of landscape types.
	Annex B		Register of parks and gardens, registered sites and their statutory status. A definition is needed.	To add definition.

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111	Annex B		Setting of a Heritage Asset: We welcome the retention of this definition of setting.	-
	Annex B		Statutory Consultee: We are concerned that for consistency and clarity this is not defined.	Amend glossary to add a definition of Statutory Consultee and expert advisory role in this context.
	Annex B		Sustainable Development: We are concerned that for consistency and clarity this is not defined.	Amend glossary to add definition of Sustainable Development, e.g. in Introduction: 'meeting the needs of the present without compromising the ability of future generations to meet their own.
	Annex B		Heritage Impact Assessment: We are concerned that for consistency and clarity this is not defined.	Add definition of Heritage Impact Assessment., e.g. 'A structured analysis to identify the significances of historic assets affected by a proposal and identify the effect of proposals for change on these significances.'
	Annex B		UNESCO World Heritage Site UNESCO World Heritage Buffer Zone We are concerned that for consistency and clarity these terms relating to World Heritage are not defined in the Glossary:	Add definitions e.g. 'UNESCO World Heritage Site: designated for its cultural, historical, scientific, or other form of global significance, identified as Outstanding Universal Value' and 'UNESCO World Heritage Site buffer zone: an area surrounding a World Heritage Site that contributes to the site's integrity and authenticity, and to mitigate potential impacts from surrounding changes and activities, ensuring the site's Outstanding Universal Value is preserved.'

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	Annex B	Glossary	Urban greening: A definition is needed.	To add a definition.
114	Annex C	Overall	Annex C does not currently reflect all the information required by national policy.	Review the information requirements set out to include missing information. This includes the following two suggestions:
114	Annex C	DM1	The Planning Statement should also describe the proposals.	Add a requirement to describe the proposals.
114-115	Annex C	W3, TR6, TC4, CO2, HC7, HE5	The specified information requirements imply that existing levels of assessment and analysis are no longer required for these sorts of development.	Amend the text, possibly in a new introduction to the Annex, to state that existing levels of assessment and analysis remain a requirement for these sorts of development as well as the requirements explicitly specified.
114	Annex C	HE5	A consistent approach is required to these impact assessments in terms of scope and rigour. Historic England offers detailed guidance in order to ensure this.	For clarity add note in text or footnote to state that Historic England offers detailed guidance in order to ensure a consistent approach to these assessments in terms of scope and rigour.
119	Annex E	Overall	Green Belt assessments: Further consideration of, and protection for, the impact on the setting of heritage assets – and particularly historic parks and gardens – is needed. Around a quarter of England’s registered parks and gardens are in the Green Belt, and these designated	Add references where relevant identifying the need for further consideration of, and protection for, the impact on the setting of heritage assets – particularly historic parks and gardens. These designated heritage assets – and their setting – as well as local non-designated heritage assets should be adequately assessed in any consideration of green and grey belt.

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			heritage assets – and their setting – as well as local non-designated heritage assets should be properly assessed.	
119	Annex E	1.b	Additional measures are needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria. Historic designed landscapes are particularly vulnerable to neglect, and deliberate neglect to obtain grey belt designation.	Adapt and include wording in Paragraph 202 in the December 2023 NPPF as a suitable approach here: 'Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.'

Appendix

Reforms To The Statutory Consultee System Consultation (November 2025)

Summary of The Gardens Trust's Response (27th November 2025)

The Gardens Trust is the only organisation focused on the conservation and promotion of England's numerous historic parks, gardens, designed landscapes and green spaces. As a statutory consultee of thirty years' standing, the Gardens Trust provides specialist advice on planning applications which affect registered parks and gardens (previously as the Garden History Society (GHS), founded in 1966, which merged with the Association of County Gardens Trusts in 2015 to form the Gardens Trust). The Gardens Trust also represents and supports the 35 local County Garden Trusts, the first of which was established in 1984, providing them with volunteer support and a capacity building programme.

We responded to those questions of most direct relevance to the Gardens Trust and the following is a summary of key points which headed that response. We would be pleased to resend the complete response document if this would be helpful.

- *Historic parks and gardens are an important part of England's heritage and culture, and contribute significantly to a range of government priorities and public benefits, not least in their provision of readymade green infrastructure.*
- *They are however particularly vulnerable, lacking a number of the protections from which other types of heritage asset benefit, and the necessary expertise within local planning authorities.*
- *The current proposals significantly increase that vulnerability: removing the Gardens Trust as a statutory consultee will result in considerable harm to these irreplaceable heritage assets, and particularly to Grade II registered parks and gardens (two-thirds of the total).*
- *If notification is introduced instead, the harm will still be marked, particularly in relation to proposals in the setting of registered parks and gardens (around 42% of the consultations currently received).*
- *The Gardens Trust's strong performance as a statutory consultee (see evidence submitted) already meets the government's stated objectives: its advice is constructive, timely, and expert, and very highly regarded by stakeholders.*
- *The Gardens Trust is pro-growth. Neither the Gardens Trust nor registered parks and gardens are barriers to the development the country needs.*
- *Removing the Gardens Trust in this role will leave a damaging vacuum in heritage conservation, and addressing this would impose significant additional costs on the taxpayer: the Gardens Trust provides extraordinary value for money in the provision of its service.*
- *As a statutory consultee, the Gardens Trust has been providing invaluable expertise in support of successful delivery under the planning system, and wishes to continue to make this contribution.*
- *To achieve that, the Gardens Trust seeks:*
 - *Retention as a statutory consultee.*
 - *Retention of referrals on proposals in the setting of all grades of registered park and garden.*
 - *Commencement of section 102 of the Levelling-up and Regeneration Act.*
 - *Inclusion in plan-making, training, and the review of guidance and advice.*