



Sean O'Byrne
Planning – Development Management Team
Ministry of Housing, Communities and Local Government

By email: StatutoryConsulteeReforms@communities.gov.uk

10 December 2025

Dear Mr. O'Byrne,

Open consultation: Reforms to the statutory consultee system

The Georgian Group is grateful for the opportunity to comment on this consultation. We are very concerned by some of the provisions contained within these proposed reforms to the statutory consultee system; notably those to strip the Gardens Trust of their role as a statutory consultee within the planning system and to remove the duty to inform them of planning applications which could potentially harm the setting of registered landscapes.

Historic parks and gardens are a specialised heritage asset type which requires considerable specialist expertise to ensure that planning proposals are progressed in a sensitive and timely manner. This expertise is rarely available within local planning authorities and is not generally available from other organisations involved in the planning process.

The Georgian Group is a registered charity and a National Amenity Society with objectives to protect Georgian built heritage through providing advice to historic building owners and architects, campaigning, and through our statutory role in the planning system. Since 1971, there has been a statutory requirement for us to be notified of proposals to undertake works of demolition to listed buildings. This requirement is presently set out within the *Arrangements for handling heritage applications – notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2021*.

The following comments relate to questions 6 and 7 of your consultation document. Since 1995 there has been a requirement for local planning authorities to consult the Gardens Trust on planning applications for development which is likely to affect registered parks and gardens of all grades (I, II*, and II) or their settings. Historic England is the only other body required to be consulted on such applications; however, they are required to be consulted solely in relation to grade I and II* registered sites. The Gardens Trust is consequently the only national body consulted and providing advice in relation to proposals affecting grade II registered sites. There is no legal obligation however, for a local planning authority (LPA) to act on a Gardens Trust objection or advice, only to weigh that objection alongside relevant development plan policies and other relevant planning considerations in reaching its own decision.

The proposals include provisions to downgrade the role of the Gardens Trust from Consultee to one comparable to that given to National Amenity Societies and to remove the requirement for them to be informed of proposals which may affect the setting of registered landscapes. The Georgian Group respectfully argues, however, that these proposals do not take account of either the Gardens Trust's proven track record in responding in a constructive and timely manner to consultations, or of the lack of relevant skills within the vast majority of LPAs to assess the impact of proposals affecting registered landscapes themselves.

A key argument for retaining the Gardens Trust as a statutory consultee is that registered landscapes are not yet protected in law to the same degree as other designated heritage assets. Unlike applications affecting listed buildings and scheduled ancient monuments, there is no statutory duty to have special regard to the desirability of preserving registered parks or gardens or their setting (section 102, *Levelling-up and Regeneration Act 2023*, having not yet been brought into force).

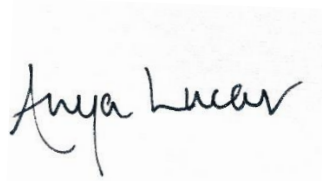
We understand that at present around 42% of consultations received by the Gardens Trust relate to proposals outside registered landscapes but affecting their setting. The NPPF (2024) emphasises the critical role that setting plays in safeguarding the significance of all designated heritage assets, notable in paragraph 208 which specifically requires an LPA to assess the impacts on significance of 'development affecting the setting of a heritage asset', and paragraph 213 requiring clear and convincing justification for 'harm to, or loss of, the significance of a designated heritage asset (... from development within its setting.)'.

These directions place considerable responsibility on LPAs to ensure that they have access to the relevant expertise required to ensure that the significance of individual registered landscapes is safeguarded. At present, very few LPAs have internal access to such expertise while that provided commercially can be costly. Stripping the Gardens Trust of its role as a consultee in relation to planning applications for works affecting the setting of registered landscapes is therefore likely to harm the ability of LPAs to meet the detailed requirements of the NPPF in respect of registered landscapes. It may also lead them to face an additional financial burden if they need to buy in that expertise from commercial consultants.

Given the lack of specialist expertise within LPAs relating to both assessing and safeguarding the significance of historic designed landscapes, the timely, detailed, and authoritative recommendations provided by the Gardens Trust, at minimal cost to the public purse, are a vital tool in ensuring that LPAs can meet the requirements set out by your government within the NPPF 208 when assessing planning applications affecting the setting of registered landscapes.

The Georgian Group believes that depriving LPAs of the ability to receive the timely, cost-effective specialist advice which the Gardens Trust provides will harm their ability to fulfil both the requirements of the NPPF and to safeguard fragile heritage assets for the public benefit. We urge Government to rethink this damaging proposal.

Yours sincerely,

A handwritten signature in black ink, reading 'Anya Lucas', written in a cursive style.

Anya Lucas FSA
Director