



Devon Gardens Trust
Exeter Community Centre
17 St David's Hill
Exeter
Devon EX4 3RG

chair@devongardenstrust.org.uk

January 8th 2026

Sean O'Byrne,
Planning – Development Management Team,
Ministry of Housing, Communities and Local Government
By email: StatutoryConsulteeReforms@communities.gov.uk

Thank you for the opportunity to comment on this consultation. **Devon Gardens Trust (DGT) strongly OPPOSE the proposal to remove The Gardens Trust (TGT) as a statutory consultee** for the following reasons.

Designed landscapes, parks and gardens are special, irreplaceable assets of the nation's heritage and are of critical importance today and for future generations. Parks, gardens and cemeteries, whether urban or rural, provide valuable green space and access to nature vital to health and wellbeing, and they are also important to our sense of place.

Registered parks and gardens already have limited protection in the planning system and considerably less than listed buildings. The statutory consultation role is therefore important in protecting and safeguarding these valued places. Building Consent is needed for any work on or around a listed building with failure to do so being a criminal offence. No such safeguards exist for registered parks and gardens. Removing that limited protection could directly damage their unique value and it would reduce the opportunity for specialist input and local knowledge when considering planning proposals. It would also signal that parks and gardens are less valuable than built heritage assets.

The Gardens Trust does not duplicate the work of Historic England on Grade I and II* parks and gardens. Further, Historic England is not consulted on applications relating to Grade II registered parks and gardens. Currently, TGT alone is consulted on Grade II registered parks and gardens, which, if no other measures were to be put in place, will be most at risk if statutory consultee status is removed from TGT. In Devon there are currently 36 Grade II registered parks and gardens representing 62% of the landscapes in the county recognised by Historic England to be of national importance. From DGT experience of planning applications, Grade II registered landscapes are often the most vulnerable to the impact of development proposals, particularly where they are located on the edge of towns and cities where they are also most accessible and of most benefit to communities. Examples include A la Ronde, Exmouth; The Hoe, Plymouth; Peamore Park near Exeter; Princess Gardens and Royal Terrace Gardens, Torquay; Stover Park, Newton Abbot.

Across the large county of Devon, DGT works closely with TGT to provide expertise, knowledge and advice to respond effectively to planning applications for development that might affect Registered Parks and Gardens and locally significant designed landscapes, some of

which might merit being added to the *Register*. In 2025, DGT provided advice on more than 40 planning applications affecting Registered or Locally Listed sites and submitted 9 responses on its own behalf. Of these, DGT only objected to 3, in all cases noting that more information, especially in relation to the inadequacy of heritage impact statements or landscaping detail, was needed. In some cases, DGT offered suggestions that might mitigate or enhance the impact of the development.

Devon Gardens Trust's advice to TGT is undertaken by a conservation team comprising nationally experienced historic landscape consultants and garden historians; this work is wholly supported from DGT's charitable funds, there is no cost to the public purse for this expertise.

We also object to the proposal to notify rather than consult the Gardens Trust on applications within the registered boundary of a property. This would further reduce protection on parks and gardens, and it also removes the protection of the setting of parks and gardens which can be key to the significance of sites. The setting often includes substantial elements of the original designed landscape, the registered boundary having been defined at a time when the historic development and extent of the landscape may not have been fully researched or understood. Historic England have not had the resources to update boundaries on the evidence of more recent research and analysis.

We note that the consultation document refers to Section 102 of the Levelling-up and Regeneration Act 2023. This would introduce a statutory duty to have special regard to the desirability of preserving or enhancing registered parks or gardens or their setting. Such a measure is supported by Devon Gardens Trust.

If the Gardens Trust statutory consultee role is removed, a further responsibility will be placed on local planning authorities requiring additional funding for specialist historic landscape resources. In Devon, LPAs do not currently have the resources or in-house expertise to handle the range of park and garden casework. If LPAs have to make planning decisions without good quality information and advice, the result is likely to be poor quality development and missed opportunities to make the most of the nation's readymade and often mature green infrastructure, as well as avoidable harm to what the NPPF correctly describes as 'irreplaceable' resources, which 'should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations'.

In conclusion, the Gardens Trust statutory consultee status unlocks considerable expertise, volunteer time and value. TGT involvement in the planning process – with local support from DGT - helps deliver more appropriate and more sustainable developments that are more acceptable to local people now and for future generations. Statutory consultee status for TGT is a net benefit to the public purse as it is both effective and efficient. It does not delay or block development but is proactive in delivering better outcomes for our valuable green heritage assets and better outcomes for everyone. It is in everyone's interest that this status is retained.

Best regards

Jane Knight and Stephanie Berry
Co-Chairs – Devon Gardens Trust