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Consultation on Landscapes Review National Parks and AONBs: Government Response (DEFRA)

The Institute of Historic Building Conservation is the professional body of the United Kingdom representing conservation specialists and historic environment practitioners in the public and private sectors. The Institute exists to establish the highest standards of conservation practice, to support the effective protection and enhancement of the historic environment, and to promote heritage-led regeneration and access to the historic environment for all.

We are very pleased to have the chance to comment on the consultation document. The Institute's comments are as follows:

IHBC agrees with the statement that in relation to Planning Reform, the principle that development within the setting of protected landscapes should be sensitively located and the need for design requirements to avoid or minimise adverse impacts is articulated. The Government's responding report suggests that there is an opportunity now to create a new chapter for protected landscapes establishing a new landscapes partnership to coordinate the work of existing organisations at national level whilst maintaining local input and it sets out a package of measures by way of response to the challenges facing our national parks and Areas of Outstanding Natural Beauty (AONBs), highlighted in the Glover review. The

vision for protected landscapes articulated in this report is welcomed.¹

This document also sets out the Government response to the 27 wide-ranging proposals from the Glover report. That review recognised that the vast majority of AONBs are indistinguishable from National Parks and are just as important for people and nature but lack equivalent recognition in law or support in resources. Proposal 24 of the Glover report called for :*"AONBs strengthened with new purposes, powers and resources, renamed as National Landscapes"*. The Glover Report suggests that pulled together as a package these proposals have the potential to deliver a transformational approach to AONB leadership and management and suggests that national governance reforms should be focussed on ensuring that our existing partners work together more effectively at a national level.

IHBC makes the observation that although AONBs may already enjoy stronger planning controls than other areas, many local authorities currently do not seem to be either aware or concerned about ensuring this is observed. AONBs in practice are not treated in the same manner as National Parks or Conservation Areas; often planning applications are not sought where they should be; or enforcement does not arise, as a consequence. The proposal to include AONBs as a statutory consultee is appropriate only provided it is ensured that that statutory process is occurring as appropriate. This will need to be addressed if a change is to have benefit. Likewise stronger enforcement will mean nothing if it is not implemented by the local authorities covering the AONB. The approach can vary across a single AONB as each of several authorities may take a different stance on permission or enforcement.

The Government's response is to establish a new national landscapes partnership to build on the existing collaboration between National Parks England and the National Association for AONBs, complemented by roles for the National Trails and National Parks Partnerships.²

¹ *'A coherent national network of beautiful, nature-rich spaces that all parts of society can easily access and enjoy. Protected landscapes will support thriving local communities and economies, improve our public health and wellbeing, drive forward nature recovery, and build our resilience to climate change.'*

² This partnership should:

- generate additional private income through green finance initiatives and joint funding bids
- champion protected landscapes and run national campaigns, such as promoting tourism

IHBC welcomes the fact that the Report indicates that Defra will provide clearer strategic direction for protected landscapes through a new National Landscape strategy. Also that it suggests that this will set out a clear National framework to guide the development of plans and programmes by the national landscapes partnership and help to inform the development of local management plans. The report proposes that Natural England will also have a clear role in monitoring progress of delivering the national landscapes strategy through local management plans and delivery; it also commits to ensuring that National Parks and AONBs have statutory purposes which will be more closely aligned.

IHBC welcomes the proposed new changes concerning protected Landscapes. We agree with the development of a more coherent national network a more consistent statutory framework and the concept of National Landscapes. We also support the measures proposed concerning nature recovery. IHBC re-emphasises the need for stronger enforcement if this is to work. IHBC welcomes the commitment to demonstrating the value of lived in landscapes and the highlighting of the value of offering meaningful social and economic support for them. We also welcome the proposal for new landscape approaches in cities and the coasts.

Defra poses the question whether reference to World Heritage Sites and intangible heritage should be included in the National Landscape Strategy?³ IHBC believe that it is entirely appropriate for World Heritage Properties to be provided for within the proposed National Landscape Strategy because that Convention provides for the protection of natural heritage as well as cultural heritage⁴ and within the categories of cultural heritage provided for is the 'cultural landscape' which is defined within that international framework. Amongst the Criteria upon which the value of cultural heritage may be defined is Criterion 5 : "*be an outstanding example of a traditional human settlement, land use, or sea use which is representative of a culture (or cultures), or human interaction with the environment especially when it has become vulnerable under*

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- develop strategic partnerships and programmes with a particular focus on commercial partners
 - create opportunities to provide training and development
 - share knowledge and expertise to build capacity across the protected landscapes family

³ The Defra presentation on "*Cultural heritage in Protected Landscapes*"

⁴ Article 1 of the World Heritage Convention, 1972 defines 'cultural' and 'natural heritage' and the Operational Guidelines to that Convention(2019) indicate the criteria upon which their value is determined

the impact of irreversible change". which refers to cultural landscapes.

IHBC believe that the consideration of the protection for cultural and natural heritage in an integrated way is absolutely appropriate and we welcome and support a commitment to managing the cultural and natural heritage in an integrated manner through management plans at local level. This objective will however need to be supported by adequate financial resources appropriately channelled.

IHBC emphasizes that a National Landscape Strategy should consider the likely significant effects on the whole environment which will include consideration of impact on heritage assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors. The policy must have the ability to accommodate all of the aspects of the environment that comprise the landscape including their inter-relationship. We believe that it is important to remember that in the case of many of the National Parks cultural heritage is one of the reasons cited for their designation. More particularly the National Parks and Access to the Countryside Act 1949 5.1a states national parks purposes as "*conserving and enhancing the natural beauty, wildlife and cultural heritage of the areas*". Cultural heritage is at the heart of the legislation.

It is a pity that cultural heritage is largely ignored in this report. IHBC suggest that cultural heritage protection should be more strongly articulated within this policy and strategy framework. It is clear that an integrated approach to protection of cultural and natural heritage will be a necessary one. We would also like to highlight that the desirable approach to protection of cultural heritage is a spatial approach which involves considering both the immediate context and greater context or setting of cultural assets. It is important for the cultural heritage to be adequately defined within the proposed new statutorily "protected landscapes". Rigorous definitions will be required within the proposed framework concerning 'cultural heritage' and 'intangible cultural heritage.' IHBC would wish to support those charged with managing protected landscapes and in particular the historic environment in protected landscapes. This approach includes consideration of the issues concerned in a multi-disciplinary manner. With any project in a designated landscape such as the woodland creation schemes there is a potential impact for the historic environment. At times these types of projects do not include staff with understanding of the historic environment and can rely on ever stretched core staff.

There should ideally be either better core funding or a full spectrum of staff where larger government projects are concerned.

In the consideration of the Historic environment in protected landscapes the Faro Convention of the Council of Europe, 2005 has a helpful definition in Article 2 of Cultural Heritage which could be considered for inclusion in the protective framework: *"For the purposes of this Convention, a cultural heritage is a group of resources inherited from the past which people identify, independently of ownership, as a reflection and expression of their constantly evolving values, beliefs, knowledge and traditions. It includes all aspects of the environment resulting from the interaction between people and places through time;"* and also the definition of a heritage community is provided *"a heritage community consists of people who value specific aspects of cultural heritage which they wish, within the framework of public action, to sustain and transmit to future generations."*

IHBC believe that it is also really appropriate for the intangible heritage to be considered within this proposed framework.⁵ The definition in Article 2 of the Convention on Intangible Cultural heritage may assist: *"The 'intangible cultural heritage' means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. For the purposes of this Convention, consideration will be given solely to such intangible cultural heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development."*

Yours sincerely

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⁵'Intangible cultural heritage' is already considered within the framework of the World Heritage Convention and is reflected within Criterion 6 of the OGS⁵ to *"be directly or tangibly associated with events or living traditions, with ideas or with beliefs, with artistic and literary works of outstanding universal significance"*.