

Trust for the future

Sir Simon Jenkins on the role of the National Trust and the voluntary sector in the planning system.



Sir Simon Jenkins is Chairman of the National Trust. He gave the 4th Annual Boydell Lecture, supported by FTB chambers in July which he has kindly given to *Planning in London* for publication.

The Government has before parliament a so-called localism bill, to which is to be attached a national planning policy framework. Together they form a major revision of the long-standing governance of the built and rural environment in Britain. It is a massive change, largely in the direction of the de-restriction of development. My perception – though I am happy to be corrected – is that it will revert town and country planning roughly to where it was in the 1930s.

This must be of concern to us at the National Trust, and to all who seek to guard England's countryside. Wales, Scotland and Northern Ireland now fall under different jurisdictions, though they may follow.

I have been at the National Trust for almost three years and have learned to respect its two faces: the first introvert, the second extravert.

The first comprises 330 pay-for-entry properties, most of them handsome houses and gardens, a few of them just houses and gardens. They are extraordinarily popular, with 12m visitors a year, including 3.8m Trust members. To them are added 600,000 acres of open country, 50,000 acres of forest and 700 miles of coastline. The trust is the third biggest landowner in England.

This of course means sensible stewardship. We do not preside over gentle decay, but seek to protect the spirit of place in every one of our properties, even the Liverpool Beatles houses. Every corner of this country, for good or ill, looks as it does now because of past human interaction. This means a sophisticated debate about preservation, interpretation and presentation. Rarely is the concept of value in the environment simple. For me this is among the most challenging intellectual tasks I have ever encountered. And it matters very much indeed, I believe, to

the nation as a whole.

A place is more than a huddle of bricks and stones, flowers and trees, rocks and hillside. It is a bundle of memories, histories, dramas, messages, lessons. Since arriving at the trust, I've been on a mission to liberate those more subtle messages in our properties. The Trust is not alone among heritage organisations in having had a reputation in the past for, dare I say it, deadening the spirit, or at least the common experience, of places. Our conservation and curatorial expertise is unrivalled, but has tended to assume that our visitors should have a degree from the Courtauld if they are to draw inspiration. I feel much the same about English Heritage's ruins.

I hope this Trust reputation is changing. Ropes are being removed. Fires are being lit in grates. Visitors can play pianos, use billiard tables and croquet lawns. They can sit on chairs, read, talk or learn to cook. They can in some sense feel the house is theirs. At Thomas Hardy's cottage in Dorset visitors can settle down by the fire, have a tea and cook a crumpet. At Woolsthorpe Manor, rooms are strewn with prisms, books, papers and uneaten food as they might when Isaac Newton returned home from Cambridge. Not all dining tables are any longer laid for the start of a meal, some reflect the chaos of its end, even if some visitors are appalled.

We owe much to the 19th century prophets of 'conserve as found', William Morris and John Ruskin. Yet these days we try not to be too literal in its interpretation. Not every house should be like Chastleton in north Oxfordshire. When the Trust took on this Jacobean house a memorandum of conservation stated it should stay exactly as it was. For 20 years there is not so much as a tea room or shop to be found there. My only sadness is that we defied old Mrs Clutton-Brock's



TOP: Cotehele, Cornwall. Photo George Wright

ABOVE: Visitors in the gardens of Cotehele. Photo: John N



instruction on no account to remove the cobwebs, as she said "they are all that keeps the place standing".

My intention here is to stress that the Trust understands the meaning of the word development. We augment our properties with visitor centres, car parks, tea rooms and often build afresh under the eye of our Architectural Panel. The centre at Anglesey Abbey is thoroughly modern, yet in keeping with the scale and elegance of the house and grounds. A modern building is to go up at Dunham Massey, our most popular property. The new centre currently being hewn out of basalt at Giant's Causeway will be a stunning enhancement of that site. At Cliveden we have acted as developer for a new housing estate on brown field land, not without controversy.

The development lobbyists, now all powerful within government, charge the National Trust with being the nationalised industry of nimbysism. They claim that, like opera, rural preservation is for the few at the generalised expense of the many. Economics should not be distorted by charity, they say. Conservation is for political herbivores, development for carnivores, for grown men. Anyone would think these lobbyists were dispassionate philanthropists. As far as I am concerned, they are the nationalisation of profit in my backyard, pimpyism.

I would first point out that the National Trust is no limping subsidised incubus on the back of UK plc, awful phrase. It is a thoroughly going concern. It receives no core funding from the state, trades at a surplus and builds its reserves each year. It survives entirely on its members, visitors and supporters. As for its houses, it must be the first time in history that stately homes as a class have ever made money. They may not make as much money per acre as executive homes, but they are a central part of the fifth largest industry in Britain, tourism and leisure services. We don't just matter. We are popular and we pay our way.

But I now turn to the Trust's second face, the extravert one. Our core purpose was set out in our founding statute, the National Trust Act 1907. It states that our role is not just to own property. It

is to

"promote the permanent preservation for the benefit of the nation of lands and tenements (including buildings) of beauty or historic interest"

The wording is of its time. Few people dare talk these days of 'preservation' let alone 'beauty'. But I want to change that. I am growing averse to euphemisms and auction-room code-words which have the effect of weakening a core message: words such as heritage, significant, important, iconic, worst of all, sustainable, a word near devoid of meaning and merely employed to give something bad a dusting of goodness. We should say what we are about, preserving beauty. Few others do it. We should.

Our founders were fighting the battle of their lifetimes, to protect vestiges of beauty and tranquillity from 19th century urbanisation and sprawl. Such a situation called for clear thinking, and that meant outright resistance to development. They cut their campaigning teeth on the great anti-enclosure battles of the 1860s and 70s – interminable quarrels to save open spaces such as Hampstead Heath, Wimbledon Common, Epping Forest. Without their fight, people, dare I say it like many in this room, would have had their way, and these lungs would have been built over. Had the development lobby had its way, London would have been deprived of St Pancras, Piccadilly Circus, Covent Garden, Carlton House Terrace, most of Whitehall. Just sometimes remember and honour what you owe the conservation movement.

Robert Hunter, who masterminded the National Trust Act 1907, was instrumental in introducing legislation to protect common land in and round London and the other big urban centres. He promoted the Ancient Monuments Acts of 1900 and 1913. The powers set out for the National Trust in the 1907 Act were radical. The primary engine of our influence over the landscape came from our power to hold property 'for the benefit of the nation' – an entirely new legal construct for the time. It was coupled with a second unique power – that of the right to pronounce our property holdings inalienable. It takes

the full weight of a primary statute to overturn such inalienability.

This is a constant reminder that we undertake our duties, not on behalf of our members or of today's public, but for generations as yet unborn. It forces us to make decisions for the longest possible term. The permanent "preservation of beauty" wherever it may be is our mission, over and above any concern for our own estate.

We therefore frequently comment on other people's planning applications. From its birth the Trust offered opinions on new railways, coal mines in Kent and the design of London Bridge. At Gibside we have objected to an open cast coal mine adjacent to our estate. To protect the setting of Saltram, we commissioned new assessments of the historic significance of the wider landscape. Hardly a month goes by without the Trust being asked to support or oppose something somewhere - wind turbines, high speed railways, new airport runways. Undoubtedly the greatest threat to the British landscape at present comes from a single source, astonishingly generous subsidies for onshore wind farms. There are none on Trust land.

This requires a complex battery of defences. Our interest in the wider landscape was recognised in statute by section 8 of the National Trust Act 1937, which gave us the power to hold restrictive covenants over land which does not have to 'touch and concern' Trust properties. We now hold covenants over 100,000 acres of such land. In places like the Hambleden Valley in the Chilterns, our covenants have been vital in protecting the delicate character of the landscape from inappropriate change. In Dedham Vale the Trust is working with local landowners, many in covenanted areas, to reshape the landscape to that which existed in Constable's time.

In each of these cases we were not opposing development, but trying to ensure that it would be of good quality. In this we have to walk a narrow line. We usually confine our commentary to development that affects the setting of our properties. But we clearly have a mission to extend our voice to matters that affect the protection of beauty, wherever we see it under threat.

The conundrum that continually resurfaces is how to reconcile the interests of individuals with the interests of the many. This is not a simple calculus. What of the interest of existing residents of a village or viewers of a landscape against those wishing to visit it, those wishing to inhabit houses that might be built in it, those wishing to live near their parents or children, those wishing to feed off it or enjoy the taxes of those who might develop it. A clamour of conflicting interests hovers over the mildest meadow. And what of those as yet unborn, who might like to do any of these things - or might fiercely oppose them?

My plea today is that these are not simple political equations but complex, differential ones, that must be discussed in each case on the ground. We vaguely recognise that local people have greater rights than less local ones, this right to recognition diminishing with distance. Yet sometimes we feel the national interest should override such rights, the more so the bigger the issue or project, be it a national park, a nuclear power station, a line of pylons or an open prison. As for pylons, much in the news at present, what of the differential cost of grounding them? What literal value is attached to the beauty of the upper Severn valley? Is it worth, as some might think, one less Raphael for the National Gallery?

The government is now attempting to resolve these nuances with peculiar brutalism. Under the localism bill, gone are the top-down mechanisms of central and regional planning, with their spatial strategies and national housing targets. In their place comes a greater reliance on local authority development plans, coupled with permissive powers for neighbourhoods to form their own plans and exercise a right to take control.

Here we meet strong head winds. The Government wants to delegate power and yet to retain control, at least over big projects. It is persuaded, on the basis of nothing but assertions of the development lobby, that local planning is a bar to growth. It wants to liberate local decision, but not if that decision might be conservationist. It wants to steer the planning regime towards building and against countryside conservation.



ABOVE: Fountains Abbey. Photo: Matthew Antrobus

The giveaway is clause 124 in the localism bill. This privileges 'local financial considerations', to promote 'a presumption in favour of sustainable development'. The word sustainable is here vacuous. This is a direct reversal of the past presumption AGAINST the development of countryside land.

This is enhanced by the leaked draft of the national planning policy framework. Here paragraph 19 states that "the government's clear expectation is that we move to a system where the default answer to development is yes" except



where it would compromise "key sustainable principles". These principles are vacuous and again left unstated.

In the case of a so called designated heritage asset, the law will offer protection against "substantial harm or loss", but it makes no attempt to define what is a permitted harm. Indeed it states that consideration should be given only to heritage assets of "real importance" - as opposed presumably to unimportant or unreal ones.

The presumption in favour of development states that, where local authorities have failed to put a plan in place, permission will be assumed.

This is a pretty blunt attempt to force local authorities to make plans aiding development, at the same time as their experienced planning teams are being cut. There also appears to be a requirement that if planning permission is refused for one meadow, then another must be offered in its place by the planners. The line of least resistance will always be to allow building to proceed wherever a developer wants it, or risk a court challenge against a presumption in favour of building.

This is mad. It runs completely counter to authorities having a current duty to balance over-all considerations if the plan is in any way unclear.

It is an extremely worrying development.

All this is sloppy language and sloppy legislating. The planning framework document appears to be commendably short, but this leaves much more open to interpretation. Combine this with the presumption in favour of building, and you have a document clearly written at the direction of building and development lobbies and the Treasury. It constitutes a clear presumption for any development, even if the green belts are protected. It is the sort of planning you get in a banana republic, where local corruption and pressure is all. There is ample scope for local neighbourhood plans to

reflect the will of the developer with the deepest pockets.

There is much interesting and some good in the localism bill. The community right to challenge a poor service is intriguing, so is the concept of a community list of purchasable assets. I like local referendums and local mayors and greater freedom for local democracy to express itself. On a positive note, the Natural Environment White Paper – published last month – made the simple declaration that this generation should be the first to leave the natural environment in a better state than they found it; and that we should pursue the notion of 'net gain' for nature. Local Nature Partnerships should bring together private, charitable and public sector partners.

But the so-called freeing up of local planning is reckless and blatantly hostile to the protection of the rural landscape, vistas, views and coastline. The reference in the guidance to the fact that new house-building is the lowest since 1924 is the giveaway. It implies that this is caused by planning, as opposed to the generality of other government policies. I could as well say that never since 1924 has so much already serviced and therefore sustainable brown land lain unused. Why not direct planning policy to bringing that on stream? Why not direct development towards existing infrastructure. The answer, I fear, is that while using brown land may be cheaper and more sustainable for the country as a whole. It is less attractive to private developers. They prefer greenfield sites. This bias lies at the core of this legislation. It is pernicious. It is not a planning bill but a money bill.

We just cannot let rural England suffer the same blizzard of uncontrolled building as it saw in the 1930s and 1950s. Do we really stand on the South Downs and gaze over Rottingdean, Saltdean and Peacehaven and congratulate our grandfathers on their wise planning? Do we really look out from the Cotwolds towards Gloucester and say, what the Severn valley really needs is for Gloucester to be joined to Cheltenham and Worcester in a Severn Vale metropolis? This is precisely what the localism bill implies.

I wonder if there are some lessons that the Trust could offer here. The Trust too has 'gone

local', by delegating greater power and responsibility to our properties, in partnership with their communities. Our property managers now have more control over their places than ever before. No longer do they dance to the tune of centrally prescribed directives. They are accountable for every aspect of their property, from commercial performance to the ongoing conservation of buildings and landscapes.

Yet we are clear that localism on its own is not enough. The trust is a national organisation, with a national purpose. We interpret localism therefore as providing 'freedom within a framework'. You don't ensure the protection of special places by tearing up the rulebook. Rather, you set out clear expectations, aiming to supply as much freedom as possible as to how those expectations might be met.

The National Planning Policy Framework, which we are now expecting to see next week, needs to be revised to set a new tone of voice. It should start from some sense of spirit of place, NOT spirit of pecuniary gain. We can't plan for change unless we know what we've already got, defined by the people who know and care about each place.

Decisions about change need to embrace social, environmental as well as economic ambitions. This is especially the case when the economic future of much of the English countryside is now bound up not just in food production, important though that is, but in its environmental appeal, to visitors and the retired as well as to working families. I note how the plan for the future of Durham recognises this: the quality of its rural life and tourism magnets are now regarded as critical to inward investment and prosperity. To look at Durham, as does the localism bill, and just say build more is inane.

The Government is right to want to reconnect people with local decisions and empower them to take control of what happens in their communities. It is right to subject that control to some overriding societal interest. But it has not yet formulated a credible framework for such override. And framework there must be if anarchy is not to occur.

I hesitate to suggest that county structure plans did at least offer such a framework. But the presumption against development did. There are hundreds of thousands of acres of unused, derelict and developable land lying already serviced in England. Just fly over England and look. There is absolutely no excuse, economically or environmental, for releasing more rural land onto the development market. The old presumption should be reasserted before it is too late.

Some years ago I suggested that landscape should be listed for its visual and environmental value, much as buildings are. This is no big deal, since land is already registered for agricultural use and subsidy. Planners and local neighbourhoods could then negotiate the terms of planning designation according to the importance attached to different grades of green land. Either way, a genuine debate could take place as to which parts of rural England need preserving, including for all time, and what can be given to development. For what it is worth, I calculated that swathes of suburban and rural land could probably be released this way, some even from so-called greenbelt.

But this process cannot be anarchic, or developer led. It must be plan-led, and the plan must embrace both present and future needs for open space and countryside. It must seek to identify explicitly what we mean by beauty in landscape.

I hope the trust can play its part in helping with that definition. We are entrusted with the task of preserving beauty, but we live in a community which lacks the courage to use the word – except when talking about cosmetics. I firmly believe that if we do not have the words to describe what we value – and resort to fatuities such as sustainability – we will lose it.

Both I and the Trust are seriously worried at what is being proposed by the coalition government. It is a repeat of our experience with forests and the attempted dismantling of the heritage quangos. A commendable attempt to clear decks and get down to basics is hijacked by lobbyists for their own gain. As so often under the present government, ministers inexperienced in the ways of power, fail to see the consequences of what they propose. We intend to make them see. ■