



18 April 2023

### Office for Environmental Protection’s Call for Evidence

#### Protected sites for nature in England and Northern Ireland

Historic England is the Government’s statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Digital, Culture, Media and Sport (DCMS). We champion and protect England’s historic places, providing expert advice to local planning authorities, developers, owners, and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

Given our statutory remit our submission only relates to England and land-based designations.

SSSIs, SACs and SPAs are all cultural landscapes shaped by millennia of human activity creating valued sites of nature conservation importance. In turn, sites’ protection becomes part of the history of the land and its cultural story. In addition, many of these protected sites include individual historic features, some designated and many undesignated, often the vestiges of the land use and management practices which shaped these places and landscapes. In summary, the natural and cultural environments are indivisible and understanding the cultural heritage can help inform and guide present and future site management.

The table below illustrates the complexity of landscape management:

**Number of National Heritage List of England assets within SSSIs, SACs, and SPAs**

| PROTECTED NATURE SITES                            | LISTED BUILDINGS |           |          |       | SCHEDULED MONUMENTS | REGISTERED PARKS AND GARDENS |           |          |       | REGISTERED BATTLEFIELDS | PROTECTED WRECKS |
|---|------------------|-----------|----------|-------|---------------------|------------------------------|-----------|----------|-------|-------------------------|------------------|
|   | Grade I          | Grade II* | Grade II | Total |                     | Grade I                      | Grade II* | Grade II | Total |                         |                  |
| Site of Special Scientific Interest (4,127 sites) | 64               | 99        | 1,284    | 1,447 | 3,987               | 53                           | 107       | 133      | 293   | 11                      | 10               |
| Special Area of Conservation (256 sites)*         | 37               | 58        | 709      | 804   | 2,556               | 18                           | 31        | 43       | 92    | 1                       | 33               |
| Special Protection Area (88 sites)                | 10               | 29        | 425      | 464   | 1,654               | 5                            | 11        | 17       | 33    | 1                       | 24               |

\* Includes 6 SAC 'Candidate' sites not yet formally designated





This is recognised in National Character Area profiles, particularly the statements of environmental opportunity, however, very few citations or site objectives acknowledge the history of the landscape and its cultural heritage. We recognise that, in turn, most heritage designations do not record the nature conservation interests and the two systems run in parallel. The multi-agency MAGiC web site [www.magic.gov.uk](http://www.magic.gov.uk) is therefore a very important resource for both ecologists and heritage advisers as it brings together site protection designations. For heritage these include listed buildings, scheduled monuments, registered parks and gardens, registered battlefields, and World Heritage Sites. MAGIC offers an almost uniquely accessible spatial understanding of the multiple and interconnected values of sites.

For example, management of uplands solely for the protection of individual species risks the loss of cultural heritage such as hefted flocks and changes to landscape character. Many sites have multiple inter-related designations like Downton Gorge (Herefordshire) and its Picturesque landscape: NNR, SAC, SSSI, registered park and garden, listed buildings, and AONB. Conservation management of many historic sites can also offer biodiversity gains e.g. restoration of chalk grassland or conversely nature sites such as SPAs and SSSIs can be important sources for local building stones needed for the repair of historic buildings and structures, and local character detailing in new build.

At Historic England, we advocate a landscape approach to site conservation. The European Landscape Convention (ratified by the UK in 2006) provides a framework for the protection, management and planning of the landscapes across Europe and there is probably scope to use the ELC to further integrate natural and heritage designations. The ELC stresses the importance of landscape in contributing to our natural and cultural heritage and people's well-being, and also identity. Historic England leads on behalf of the UK Government in reporting and networking on the ELC across Europe.

Amongst the heritage sector professionals, SSSIs as a designation are well-known but perhaps not SACs and SPAs. Most heritage advisers will know they need to contact Natural England about SSSIs or protected species but may perhaps be less aware of individual site protection considerations and what might constitute potentially damaging operations (although the concept of potentially damaging operations/harm will be familiar through the consenting required for works upon scheduled monuments and listed buildings. However, there is a practical obstacle in that owners and heritage advisers may not be aware how to find site citations and general guidance. Information is split between Natural England's Designated Sites <https://designatedsites.naturalengland.org.uk/> platform and Gov.UK/Defra web pages and citations are not linked on [www.magic.gov.uk](http://www.magic.gov.uk). We are also aware owners/managers sometimes find it difficult to make contact with key designation advisers about sites.

Some SSSI citations are very dated and brief and are therefore much more open to interpretation about what is scientifically important about a site and how to sustain and





enhance this through management e.g. whether the trees to be planted in historically important designed landscapes designated as SSSIs for perching birds have to be only British native species or where species in the citation are no longer present, the SSSI status is hindering other landscape conservation work. A regular condition assessment system would be welcomed.

The nature and heritage designation recording systems each have different strengths and there is scope to learn from both and improve accessibility for users. For example, the presentation of National Heritage List for England has been updated to be more user-focused and opened up to encourage public participation and to encourage the sharing of knowledge. Anyone can make the case for listing/scheduling or registration and apply online.

Negativity about wildlife protection law can therefore arise where there is an apparent clash between the parallel systems of protection and site conservation aims. In our experience, however, early discussion can often resolve potential issues. The objective should always be to broker solutions rather than to argue the primacy of different types of designation. Site advisers and managers, however, need to be alive to the complexity of site values and dynamics, and ensure appropriate expertise is sought. Historic England therefore encourages conservation management plans to tease out an understanding of what matters and why, including the needs of habitats and wildlife.

Against this background, there are undoubtedly important historic landscapes that are probably under-represented in the nature site protections. As a UK priority habitat, site protection for wood pasture and parkland sites may be able to help guide beneficial management and redirect inappropriate proposals such as tree planting and rewilding. Any protection regime needs to recognise the cultural significance of these sites. At Historic England, we continue to add to the Register of Parks and Gardens of Special Historic Interest. However, this designation is currently only a material consideration in appraising planning applications.

There are other important historic and cultural landscape features like veteran trees and orchards which fall between the nature conservation and historic environment designations. For example, the three orchard SSSI designations make no mention of the orchard trees. As discussed in previous Government consultations, Historic England has offered to advice on defining historic and culturally important trees (see <https://historicengland.org.uk/content/docs/consultations/response-protecting-enhancing-englands-trees-woodlands-consultation-feb19/>).

The Environmental Land Management Schemes are also important tools in a holistic approach to site protection and we welcomed the continued recognition of heritage features (whether or not designated) and their contribution to local distinctiveness and sense of place or role in other conservation outcomes.





Historic England

Historic England's own technical conservation advice and web pages cover wildlife issues including site protection. The professional bodies such as the Institute of Historic Building Conservation also keep members briefed about emerging policy such as biodiversity net gain. Nature conservation and environmental protection is covered in most historic environment courses and textbooks e.g. the West Dean College Conservation Masterclasses, recognised by Historic England, includes a course on 'Managing Wildlife in the Historic Environment'.

For information, in 2021/2022, Historic England was responsible for overseeing and advising on 400,000+ heritage designations. We have c.300 staff involved in designation, development advice and consents, and monitoring condition through our Heritage at Risk programme.

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