



## Case Information

|                                   |   |                 |                |
|-----------------------------------|---|-----------------|----------------|
| <b>Reference/Case ID</b>          | 300019007   |                 |                |
| <b>Scheduled Monument</b>         | Kilmory Chapel, MacMillan's Cross & tombstones                        |                 |                |
| <b>Index no</b>                   | SM90185   | <b>Grid ref</b> | NR 70200 75100 |
| <b>Date application validated</b> | 25 January 2017   |                 |                |
| <b>Summary of proposed works</b>  | Erection of a memorial stone within the boundary wall of the cemetery |                 |                |

## 1. Summary recommendation

This report recommends that approval for erection of a memorial stone be granted.

## 2. Background

This monument consists of a medieval chapel with a modern glass roof and housing a collection of carved stones. The scheduled area includes the surrounding graveyard defined by the boundary walls. The monument is of national importance because it is a well-preserved medieval chapel with a fine collection of finely carved stones. It is also likely to include important archaeological remains.

The Chapel and part of the graveyard to the north are a Property in Care.

The area of the graveyard affected by this application is in the care of Historic Environment Scotland and has been agreed with the relevant factor. The owner of the monument has also written and confirmed that they have no objection to the application.

## 3. Proposals

### Erection of a memorial stone

The stone would be located close to the northern wall of the graveyard in an area with no other memorials. The stone would be around 120cm high, 50cm wide and 8cm deep. A hole would be excavated to allow it to be set into the ground by 30cm. It would be



inscribed on front and rear (with it clearly stated that it is a memorial was not a grave marker).

## 4. Representations received

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No representations have been received.

## 5. Report

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### a) Policy considerations

The application should be considered with the following legislative and policy considerations in mind:

#### Ancient Monuments and Archaeological Areas Act 1979

Part 1 Section 2: Control of works affecting scheduled monuments.

#### Historic Environment Scotland Policy Statement June 2016

3.14. A monument is included in the schedule to secure the long-term legal protection of the monument in the national interest, in situ and as far as possible in the state it has come down to us. Scheduled monuments have an intrinsic value as monuments, not related to any concept of active use. It is the value of the monument to the nation's heritage, in terms set out in the section on Scheduling in Chapter 2 of this policy statement that is the primary consideration in determining applications for scheduled monument consent.

3.18. Scheduled monument consent applications must be considered in terms of the cultural significance of the monument and the impact that the proposals would have upon this cultural significance. The more important particular features of the monument are to its cultural significance, the greater will be the case against interventions which modify these features.

### b) Assessment

The proposed works involve the erection of a small stone memorial in a graveyard.

The physical impact of the proposed works would be a small excavation restricted to the size of the marker (around 8 x 50cm) and 30cm deep. It would not affect any other memorials. This depth of excavation would be unlikely to extend below existing upper deposits (graveyard soil) and unlikely to affect any sensitive subsurface archaeological

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deposits around the monument. They would not have an adverse physical impact on the monument.

The proposed memorial would be located near the graveyard wall. It would be small, simple and in keeping with the character of the surrounding graveyard. It would not make a substantive visual change to the chapel, any other memorials or the graveyard as a whole.

It is concluded that the proposed work would have no affect on the cultural significance of the monument.

## **c) Other material considerations, including impact of the works on Protected Species and Places**

No impact on Protected Species and Places considered likely – see PP&S assessment.

## **d) Conclusion**

The application should be viewed as works as set out in both Part 1 Section 2 of the AMAA Act 1979 and paragraph 3.4 of the policy statement.

The proposed works, comprising erection of a small stone memorial are being done to elements of the monument in such a way that they will have no impact on the cultural significance of the monument. They do not, therefore, conflict with paragraphs 3.14 and 3.18 of the policy statement.

## **6. Recommended decision**

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The works proposed are considered acceptable in meeting the terms of national policy for scheduled monuments, and also accounting for other material considerations.

I recommend consent is **granted without conditions**.

## **7. Conditions**

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No conditions have been attached to this decision.

## **8. Approval**

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|---------------------|----------------|-------------|------------------|
| <b>Case officer</b> | Simon Stronach | <b>Date</b> | 13 February 2017 |
| <b>Approved by</b>  | John Raven     | <b>Date</b> | 13 February 2017 |

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## **Annex A – list of supporting documents**

- Measured sketch of memorial
- Measured sketch of memorial location
- Photograph of memorial location