

Case information

Reference/Case ID	201505918		
Scheduled Monument	Kinneil House, house and surrounding grounds		
Index no	M90189	Grid Ref	NS982805 298200.0000 680500.0000
Date of Application	14 December 2015	Application Received	14 December 2015
Summary of proposed works	Recreation of the orchard at Kinneil House		

1. Summary recommendation

This report recommends that consent be granted.

2. Background

This monument comprises a 15th-16th century tower with an associated palace block which was much altered in the 17th century, together with former garden/orchard areas that surround the buildings. The line of the Antonine Wall passes through the south part of the scheduled area.

The proposed orchard would be located to the north-east of Kinneil House, in a rectangular area of ground to the north of a retaining wall. Documentary and cartographic sources dating back to the 1660s suggest that this area was a nursery or orchard for over 250 years, before being used for potato growing during the 20th century. This suggested that the upper levels here would have limited archaeological potential for buried archaeological remains.

A geophysical survey was undertaken on 2 November 2015 to provide additional information on the archaeological potential of the area, and potentially to provide information about previous tree planting layouts. Resistance survey revealed two northnorthwest-southsoutheast aligned anomalies across the centre of the area, interpreted as potential lines of a paths or walls. Other anomalies may indicate the lines of drains or previous planting beds, and perhaps a ditch. Magnetometer survey encountered a high level of magnetic noise, reflecting past landuse and disturbance, though one linear trench may represent a drain. Overall, there was no clear

indication of significant buried archaeological remains, or of old orchard layouts, but the proposed planting scheme has been designed to avoid geophysical survey anomalies.

Following the geophysical survey, the applicant undertook pre-application consultation with Historic Environment Scotland which has contributed to both the proposed planting layout and the proposed archaeological mitigation.

3. Proposals

Consented works

Excavate planting holes and plant fruit trees to recreate the orchard at Kinneil House

Description of works

Tree pits will be dug by hand in locations shown on the layout plan. The planting scheme may be revised in consultation with Historic Environment Scotland should significant archaeological remains be encountered. A professional archaeologist will be in attendance to advise on the retention of any significant artefacts and to record any significant archaeological remains, as detailed in the method statement. Fruit trees will be planted in the pits as detailed in the method statement.

4. Representations received

No representations have been received.

5. Report

a) Policy considerations

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

AMAAA 1979, Part 1 Section 2:
control of works affecting an ancient monument.

The Scottish Historic Environment Policy (2011):

3.4. Scheduled monument consent is required for any works that would demolish, destroy, damage, remove, repair, alter or add to the monument or to carry out any flooding or tipping on the monument. It is a criminal offence to carry out any of these works without consent.

3.14. Scottish Ministers include a monument 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 SHEP, that is the primary consideration in determining applications for scheduled monument consent.

3.16. Works on scheduled monuments should therefore normally be the minimum level of intervention that is consistent with conserving what is culturally significant in a monument.

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.

3.19. Extensive intervention will only be allowed where it is clearly necessary to secure the longer-term preservation of the monument, or where it will clearly generate public benefits of national importance which outweigh the impact on the national cultural significance of the monument. Such public benefits could come from, for example, interventions which make public access to scheduled monuments easier, or assist public understanding, or will produce economic benefits once the works are completed.

3.20. Where change is proposed, it should be carefully considered, based on good authority, sensitively designed, properly planned and executed, and where appropriate in the context of an individual monument, reversible.

b) Assessment

The proposals would involve recreation of an orchard in an area that appears to have been used as nursery and orchard for about 250 years, and which was subsequently disturbed by potato growing. Planting holes would be no deeper than 30cm. The fruit trees to be planted would be on M9 or M26 dwarfing rootstock where possible; the largest rootstock to be used would MM106, which the Royal Horticultural Society describes as semi-dwarf. This selection of rootstock gives confidence that the roots of the growing trees will be significantly smaller than those of traditional varieties grown here in the past. It suggests that additional impact on significant archaeological remains is unlikely. Planting locations have been designed to avoid geophysical survey anomalies that may represent former wall or path remains and drains. Archaeological monitoring would be put in place to allow for the recovery of significant artefacts and to allow the identification and avoidance of in situ archaeological deposits during planting, though such deposits are not anticipated. The proposed methodology also makes provision for recording of any archaeological remains encountered, and for the planting scheme to be amended if necessary in consultation with Historic Environment Scotland.

The proposed works are very unlikely to have an appreciable impact on the cultural significance of the monument. They appear to have been carefully considered and properly planned; historical and cartographic sources and geophysical survey have been used in planning and designing the proposed orchard. In addition, it is likely that the proposed orchard would enhance public appreciation and understanding of the monument, assisting visitor to envisage the gardens that formed the immediate context for the tower and palace in the 17th and 18th centuries.

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

The application site does not lie close to any SSSI, SPA or SAC designation. National Biodiversity Network GIS data sets indicate no evidence for Protected Species in the relevant 100m grid squares.

d) Conclusion

The proposals would involve small scale excavation no more than 30cm deep in an area of previous orchard, subsequently used for potato growing. Fruit trees on dwarfing or semi-dwarf root stock would then be planted, avoiding the locations of geophysical survey anomalies. This should cause negligible impact on the cultural significance of the monument, which accords with SHEP para 3.18. The proposals appear to be carefully considered, based on good authority, sensitively designed and properly planned and should accord with SHEP para 3.20. They should also enhance public appreciation and understanding of the monument, by reinstating a historic orchard. Given that the proposals should have negligible impact on the cultural significance of the monument, there is no conflict with policy at SHEP para 3.16, which notes that interventions should normally be the minimum consistent with conserving what is culturally significant in a monument.

6. Recommended decision

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

7. Conditions

Granted without conditions.

8. Approval

Officer	Richard Heawood	Date	26/01/2016
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Approved by	John Raven	Date	1/2/16
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Annex A – list of supporting documents

Orchard planting method statement v3

Kinneil Estate location map

Kinneil Orchard location map

Kinneil Orchard proposed layout