

Case information

Reference/Case ID	201508011		
Scheduled Monument	Tullich, church, burial ground and symbol stones		
Index no	M86	Grid Ref	NO390975 339000.0000 797500.0000
Date of Application	06 January 2016	Application Received	22 March 2016
Summary of proposed works	Excavation of 4 test-pits under archaeological supervision to assess nature of wall foundations ahead of essential engineering works.		

1. Summary recommendation

This report recommends **approval with conditions**.

2. Background

The monument consists of the remains of the medieval church and burial enclosure of Tullich, which is thought to overlie the archaeological remains of an earlier chapel, traditionally supposed to have been built by St Nathalan in the 7th century. The rectangular-plan church is constructed in granite rubble and has recently been re-pointed. Its dimensions are 24.3m E-W by 8.9m N-S, over walls 1m thick. The walls are intact apart from a large gap in the N wall and in the E gable adjoining the N wall.

The cultural significance of the monument rests in the ecclesiastical building which provides above ground architectural evidence from the early fifteenth century. In addition it occupies the site of an earlier chapel and burial ground which have the potential to provide evidence, through excavation, that may clarify the location, ground plan and architectural development and contribute to our understanding of the diffusion of the early Celtic church, monastic settlement and material culture in Scotland from the seventh century.

As part of a structural assessment in 2014, it was noted that there was movement in the north wall and east gable, and this movement raised concerns. Temporary propping was installed on the north wall in 2014 with SMC and proposals were advanced for the consolidation of the walls themselves. A structural report was

produced in 10 April 2015 it was noted that there was significant structural issues with the building and that there are immediate and long term concerns. Prior to any long-term remedial works being decided upon, engineers need to establish the nature of the foundations - if any - which the church walls are built on. In order to do this 4 test-pits are proposed (based on engineering requirements - as scoped by consultant - for understanding the below-ground conditions of the current walls both on the interior and exterior).

HES has undertaken pre-application discussions with the applicant regarding different options for the location of the test pits. The test-pit locations have been chosen in the most ergonomic way, to establish depth and make-up of the gable wall and two adjoining walls. This application accords with the outcome of those discussions.

3. Proposals

Consented works: Excavation of 4 test-pits under archaeological supervision.

The proposals include:

- Excavation of a four 1m x 1m test pits.
- Depth of each test-pit will be dependent upon stratigraphy and features encountered, but will not exceed that required to establish the nature of the foundations.
- Should human remains be encountered, especially articulated, then these will be left in-situ and the test-pit not dug any deeper.
- Subsequent reinstatement of the test pits.

4. Representations received

No representations were received.

5. Report

a) Policy considerations

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

The Ancient Monuments and Archaeological Areas Act 1979

- Part 1 Section 2 - Control of works affecting an ancient monument.

The Scottish Historic Environment Policy

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.

3.17. As each monument will require treatment specific to its individual nature, characteristics, significance and needs, any proposed change to it must be fully and explicitly justified.

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.

3.20. 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.

3.22. Where consent for the range of works set out in paragraph 3.4 is granted, conditions are normally applied to ensure the works are undertaken in an appropriate manner. Common requirements are:

- a. the use of appropriate assessment methodologies to determine the full impact of any proposed management, use or development;
- b. the avoidance of irreversible change particularly wherever its effects cannot be adequately assessed;
- c. that where change is necessary, strategies should be adopted to mitigate its impact and limit intervention;
- d. that the management and execution of alteration, including remedial work, is sympathetic to the historic character;
- e. that appropriate skills and techniques, materials and construction techniques are specified where appropriate;
- f. that an appropriate level of record is made before, during and after any work and deposited in local and national archives, and, where appropriate, published;

- g. that it is possible, on close inspection, to differentiate new work from old particularly on masonry structures;
- h. that any archaeological excavation or other intrusive investigation should be based upon a detailed research strategy, with adequate resources, using appropriately skilled and experienced archaeologists with a satisfactory record of the completion and publication of projects (see Note 3.10); and,
- i. that the design, planning and execution of works on scheduled monuments are undertaken by people with appropriate professional and craft qualifications, skills and experience.

b) Assessment

The proposals represent works that will damage or destroy part of the archaeological remains associated with a scheduled monument and as such, scheduled monument consent is required.

The four excavation trenches are small 1x1m pits targeted at key points where the stability of the walls of the walls are uncertain. The investigation will provide information to inform a long term conservation strategy.

The proposed test pits are to determine the presence/absence and nature of any foundations for the church walls. This information will inform the future management and the remedial works necessary to conserve the church walls. A structural report of 2015 highlighted the pressing need for consolidation works.

There is a high likelihood that the test pits will encounter archaeological deposits related to the 15th C church or to the earlier church, including the possibility of human remains. The application did not contain an archaeological Written Scheme of Investigation.

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

No impact likely see attached Protected Species and Places assessment.

d) Conclusion

I am content that the works will not have a significant adverse effect on the cultural significance of the monument, and that they represent the minimum necessary to achieve the stated aim to inform a final conservation approach. I therefore consider SHEP policy 3.16 is met.

Policy at 3.20 has not been met where the applicants have not demonstrated the archaeological mitigation strategy. I am content, however, that a suspensive condition requiring agreement of such a scheme would meet policy at 3.20 and 3.22.

6. Recommended decision

Subject to compliance with the schedule of conditions, 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, subject to the conditions detailed below.**

7. Conditions

- 1) Work shall not start on site until the applicant has commissioned a programme of archaeological investigation in accordance with a Written Scheme of Investigation approved in writing by Historic Environment Scotland. This scheme shall be fully implemented during the course of the project.
 - *Reason: to ensure that archaeological information relating to the affected areas of the monument is recovered and recorded to a satisfactory standard.*

8. Approval

Officer	James Bruhn	Date	16/05/2016
Approved by	George Findlater	Date	16/05/2016

Annex A – list of supporting documents

- Geophysical Survey Report, Tullich Kirkyard, Ballater, RGC15160TKY
- Geophysical Survey Report Figures
- Location Plan