

Scheduled Monument Consent: Report on Handling



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

Case information

Reference/Case ID	201600366		
Scheduled Monument	Balnagask motte, Baxter Place, Aberdeen		
Index no	M10403	Grid Ref	NJ957051 395700.0000 805100.0000
Date of Application	19 April 2016	Application Received	25 April 2016
Summary of proposed works	Upgrading of the existing spiral path and the formation of a new section of path linking the western end of the spiral path to the roadside, installation of steps on desire lines, and the installation of benches on the summit		

1. Summary recommendation

This report recommends that approval for the upgrading of the existing spiral path and the formation of a new section of path linking the western end of the spiral path to the roadside, installation of steps on desire lines, and the installation of benches on the summit be granted with conditions.

2. Background

The monument comprises the remains of a probable motte which was likely adapted from a natural knoll. It stands on high ground in Torry, and later formed a garden feature of the nearby Balnagask House (now demolished) with trees and a spiral path being introduced as well as a circular pavilion (now demolished) being built on its summit. Its N, NE, and to a lesser degree E sides have been cut back by a few metres and a retaining wall installed when Baxter Place was built. The monument has a number of mature trees on it, and is largely grassed over.

Recent conservation works to the monument have been focusing on the condition of the retaining wall to Baxter Place, and this work is ongoing. The applicant also wishes to undertake public realm works to the motte itself in order to improve public access, and this involves bringing the 19th century spiral path leading up to the summit back into use by installing flights of steps along desire lines leading to the path and summit, and by linking the western end of the spiral path to roadside with a new section of path.

HES has undertaken pre-application discussions with the applicant regarding the approach to these works, and has provided advice on minimising ground disturbance. HES visited the monument in 2016 and met with the applicant to discuss works, and this application accords with the outcome of those discussions.

3. Proposals

Consented works - Upgrading of the existing spiral path and the formation of a new section of path linking the western end of the spiral path to the roadside, installation of steps on desire lines, and the installation of benches on the summit.

The proposals comprise:

- Upgrading of the existing spiral path by lifting the turf, installing a membrane, and then laying hard core and bound gravel, all contained on the downhill side by a timber edge board held in place by timber pegs.
- Formation of a new section of path linking the western end of the spiral path to the roadside by lifting the turf, installing a membrane, and then laying hard core and bound gravel, all contained by a timber edge board held in place by timber pegs.
- Installation of two flights of steps on existing desire lines, using timber edge boards, timber risers and pegs to contain hard core and bound gravel steps that sit on the existing ground level rather than being cut in.
- Installation of benches on the summit of the motte, using stone gabions set into the turf and anchored using timber pegs.

4. Representations received

No third party representations were received.

5. Report

a) Policy considerations

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

Ancient Monuments and Archaeological Areas Act 1979

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

Part 1 Section 2 (3) – authorises works where Scottish Ministers or Historic Environment Scotland Have granted consent (scheduled monument consent) for the execution of the works where the works are executed in accordance with the terms of the consent and of any conditions attached to the consent.

Part 1 Section 2 (4) – allows consent to be granted with conditions.

Historic Environment Scotland Policy Statement June 2016 (the policy statement)

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, which 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. (Annex 1 sets out guidance as to how cultural significance and national importance should be determined).

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:

- 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;
- 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 works involve the upgrading of the existing spiral path and the formation of a new section of path linking the western end of the spiral path to the roadside, installation of steps on desire lines, and the installation of benches on the summit. Since the SMC application was submitted, the applicant has also confirmed that the archaeological mitigation required will likely involve a number of test pits to assess soil depth and levels of preservation in areas where the path works are proposed.

Whilst the proposed works are not directly for the benefit of the long term preservation of the monument, they comprise public realm works that aim to make the monument more accessible for the local community, and they sit alongside recent vegetation clearance works and works to the retaining boundary wall.

The physical impact of the proposed public realm works is predominantly focussed on areas of the monument that have seen prior disturbance. The upgrading of the existing spiral path involves the removal of turf that has grown over a 19th century path that was cut into the hill, the installation of the steps is over existing desire lines that have seen pedestrian erosion and loss of vegetation cover, and the installation of the benches is in an area of the summit previously disturbed by the 19th century circular pavilion. As such, the works can be considered as the minimum level of intervention that is consistent with conserving what is culturally significant in a monument, and are thus compliant with paragraph 3.16 of the policy statement.

The proposed works all involve the use of timber pegs driven into the motte in order to retain structures in place. The pegs are proposed to be 600mm long by 75mm square, although they will not be driven to their full depth into the motte. Whilst the use of multiple timber pegs to hold structures in place is likely to have far less of an impact on buried archaeological features than more heavily engineered alternative approaches, it is not certain exactly what that impact might be. However, the focussing of these works on areas of prior disturbance means that the application is considered compliant with paragraph 3.18 of the policy statement.

Recent archaeological test pits associated with the works to the retaining wall have shown that at the base of the motte there has been significant accumulation of soil containing 19th and 20th century finds before natural was reached; there is likely to be less accumulation on the steep slopes of the motte, so the timber pegs will almost certainly be driven through into the natural, but it is not known if deposits associated with the use of the motte might remain on the slopes of the motte or its summit.

No WSI has been provided as part of this application, although the applicant has acknowledged that archaeological mitigation will be required and has proposed a series of test pits dug along the route of the path and steps. Given our knowledge of the site from previous archaeological work, this approach is considered acceptable in terms of minimising the impact of the path works on the monument. These test pits will have a physical impact on the monument and any archaeological deposits that might be present, so the details of this mitigation will need to be agreed and controlled through a WSI. It is possible that the outcome of such mitigation is that the detail (rather than principle) of the scheme will need to be revised to take into account any archaeological deposits that might be present. The provision of a WSI and the production of an updated scheme of works following the archaeological mitigation will need to be conditioned, and this will enable the application be considered compliant with paragraph 3.22 of the policy statement.

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 application, comprising access and public realm works and which forms part of a wider local community project, is the minimum necessary to conserve what is culturally significant in this scheduled monument.

The application partially meets paragraph 3.20 which demonstrates that the works are carefully considered, based on good authority, sensitively designed and properly planned. Archaeological mitigation will be required in advance of the works, and it is possible that the outcome of such mitigation is that the detail of the scheme will need to be revised. Subject to conditions covering the production of a WSI and a revised scheme of works, this will enable the application to be fully compliant with paragraph 3.20 of the policy statement.

From the information provided with this application, and based on pre-application discussions with the applicant, further conditions as outlined in paragraph 3.22 to ensure the works are undertaken in an appropriate manner are required.

Condition 1 is to ensure that a WSI is agreed prior to works commencing, and that therefore the archaeological works are undertaken and reported to a satisfactory standard.

Condition 2 is to ensure that the final scheme of works is designed so as to reduce any impact on archaeological deposits.

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. No works shall take place within the scheduled area until the applicant has secured the initiation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) and has had this WSI approved in writing by Historic Environment Scotland. This WSI shall include a timetable and shall be fully implemented during the course of the approved development.

Reason: to ensure that archaeological information is recovered and recorded to a satisfactory standard.

2. No works for the upgrading of the existing spiral path, the formation of the new path and steps, and the installation of the benches requiring scheduled monument consent (other than the archaeological works covered by the WSI) shall commence on site until an updated specification of works has been approved in writing by Historic Environment Scotland. This updated specification of works should take into account any changes that might be required in order to minimise the impact of the works on buried archaeological deposits

Reason: to ensure that work will be carried out to a standard acceptable to Historic Environment Scotland and impacts on the monument are minimised.

8. Approval

Officer	Oliver Lewis	Date	17/06/2016
Approved by	George Findlater	Date	17/06/2016

Annex A – list of supporting documents

- Site location plan – H1135.01 rev A
- Proposed bench, path and stair details – H1135.06
- Proposed plan – H1135.06 rev A 16/03/16 at scale 1:100
- Photo survey – H1135.07
- Steps section – H1135.09
- Email from Bruce Mann of Aberdeenshire Archaeology Service to Oliver Lewis of HES dated 02 June 2016 providing details of the proposed archaeological mitigation.