



Case information

Reference/Case ID	201601093		
Scheduled Monument	Forth and Clyde Canal: Old Kilpatrick - Linnvale		
Index no	M6778	Grid Ref	NS454733 245400.0000 673300.0000
Date of Application	30 May 2016	Application Received	31 May 2016
Summary of proposed works	Extension to the rear of an existing restaurant		

1. Summary recommendation

This report recommends consent is granted without conditions.

2. Background

The monument is a 5km length of the Forth and Clyde Canal from Old Kilpatrick to Linnvale. The canal was built between 1768 and 1790. It was the first of Scotland's great canals to be built and is an outstanding example of Georgian engineering.

The monument includes the canal, its banks and the towing path. In the part of the monument affected by this application the towing path is located on the canal's south bank.

The area around the relevant section of canal contains large-scale, modern commercial and leisure developments. To the north is a car park for the Clyde Shopping Centre. To the east is a bridge that carries Argyll Road over the canal.

An extension to the restaurant was granted SMC in 2008. That consent has lapsed. West Dunbartonshire Council consulted HES about a planning application for the current proposal in March 2016 (DC16/051; 201507845). We did not object because the proposal was unlikely to result in significant adverse impacts on the setting of the canal. We commented that the works would require SMC.

The applicant has clarified that the proposal would not necessitate ground disturbance during the SMC process (email of 29 June 2016).

3. Proposals

The proposal is for a small extension to the rear of an existing fish and chip restaurant. The restaurant is housed in a boat-shaped structure built on reclaimed land and attached to a walkway on the north side of the canal.

The proposed extension is relatively small, approximately 5m in maximum length, and matches the width and height of the existing structure. It has been designed to match the appearance of the existing structure, for example through window design.

The extension would be founded on a concrete raft on top of the existing hardcore surface. It would not require any excavations.

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:

Ancient Monuments and Archaeological Areas Act 1979

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

Historic Environment Scotland Policy Statement (2016)

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. 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.

3.16. 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.

b) Assessment

The proposals are for a small extension to the rear of an existing restaurant. Because of its height and location the extension would not impinge upon views along the canal, in particular from the bridge that carries Argyll Road or the towpath.

The design of the extension would be in keeping with that of the existing restaurant and it would not change the character of its surroundings.

It is concluded that the proposal would not have a significant adverse impact on the setting or visual appearance of the monument.

The proposed extension is on an area of reclaimed land. Its erection would not require excavations. There should be no adverse impacts on the fabric of the monument above or below ground.

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

The application site does not lie in a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC) or Special Protection Area. National Biodiversity Network GIS data sets indicate no evidence for Protected Species in the relevant 100m grid squares.

d) Conclusion

The proposals should have a relatively minimal effect on the character and fabric of the canal. Hence the cultural significance of the monument would not be materially affected and the proposals are not inconsistent with paragraph 3.14 and 3.18 of the Policy Statement.

6. Recommended decision

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

7. Conditions

Granted without conditions.

8. Approval

Officer	Simon Stronach	Date	30/06/2016
Approved by	John Raven	Date	29/06/2016

Annex A – list of supporting documents

Location and site plans (LP02)

Existing plans and elevations (AL(0)01)

Proposed plans and elevations (AL(0)02)

Email from S3 Building Design to HES (29 June 2016)