



Case information

Reference/Case ID	201600714		
Scheduled Monument	Eassie Old Church and cross slab		
Index no	M90125	Grid Ref	NO352474 335200.0000 747400.0000
Date of Application	11 May 2016	Application Received	11 May 2016
Summary of proposed works	REPLACED OAK TIMBER FRAME AT END OF ECONOMIC LIFE WITH EXACT SUBSTITUTE - RETROSPECTIVE APPLICATION DUE TO FRAME BEING BEYOND REPAIR		

1. Summary recommendation

This report recommends approval of the retrospective application.

2. Background

The monuments comprise the remains of a cross slab of Pictish date and Eassie Old Church. The cross slab is set within a modern protective shelter in the corner of the church and is in the care of the Scottish Ministers. The cross slab is a Class II symbol stone and was moved to its present position in modern times.

Eassie Church is rectangular in plan, measuring c.17.2 by 4.7m. The northern and southern walls stand to a height of about 2m and the gables are complete. The walls are c.0.8m thick. The church was dedicated in 1246 by Bishop David of St Andrews, and was granted to Newbattle Abbey in 1309. Although still essentially in its medieval form, the church was probably extensively remodelled in the 16th century.

The applicant had undertaken the works, the removal and replacement of a timber window frame, without realising that consent was necessary. Enforcement action was undertaken by HES and it was decided that retrospective consent should be sought for the works. The original window frame was a modern addition to the monument having been installed when the shelter for the carved stone was constructed.

3. Proposals

Consented works: Replacement of oak timber frame and the replacement of mastic material with a linseed based mastic. Retrospective.

Description of works:

- Replaced oak timber frame at end of economic life with exact substitute due to frame being beyond repair - retrospective application.
- Carefully remove inappropriate mastic material from perimeter of window frame and replace with mastic made up from linseed oil and burnt sand.

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 2 Control of works affecting scheduled monuments.

(1) If any person executes or causes or permits to be executed any works to which this section applies he shall be guilty of an offence unless the works are authorised under this Part of the Act.

(2) This section applies to any of the following works, that is to say –

- (a) any works resulting in the demolition or destruction of or any damage to a scheduled monument;
- (b) any works for the purpose of removing or repairing a scheduled monument or any part of it or of making any alterations or additions thereto;
- (c) any flooding or tipping operations on land in, on or under which there is a scheduled monument.

(3) Without prejudice to any other authority to execute works conferred under this Part of the Act, works to which this section applies are authorised under this Part of this Act if –

- (a) the Secretary of State has granted written consent (referred to below in this Act as “scheduled monument consent”) for the execution of the works; and
- (b) the works are executed in accordance with the terms of the consent and of any conditions attached to the consent.

(4) Scheduled monument consent may be granted unconditionally or subject to conditions (whether with respect to the manner in which or the persons by whom the works or any of the works are to be executed or otherwise).

Historic Environment Scotland Policy Statement (June 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.

3.15. Monuments are subject to decay and the threat of destruction, from natural and human causes. Conservation work is normally needed to prolong the life of a monument, but there is a risk that this can be so invasive that it irreversibly modifies the monument's character and affects the special interest or features that made the monument important in the first place.

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.

b) Assessment

The works represent alterations and additions to a scheduled monument and as such, scheduled monument consent is required.

Given that the original window frame was relatively modern, its replacement requires no further intrusive works. No damage to the historic fabric from the works has occurred. The use of linseed mastic would have been required as part of the window frame installation, so the replacement of the mastic with linseed mastic is desirable.

I consider the replacement of the timber window frame (which is a modern addition) has had no impact on the cultural significance of the monument. The work to insert the window fall within the minimum necessary to conserve the cultural significance of the monument. I therefore conclude that the works would have been granted SMC if the applicant had applied before carrying out the works. The use of linseed mastic would have been stipulated, and the replacement of this is a necessary part of the retrospective consent.

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

None

d) Conclusion

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

The application, requiring insertion of a modern window is the minimum necessary to conserve what is culturally significant in this scheduled monument.

I consider that the proposals outlined in this application will not have had a substantial impact on the cultural significance of the monument. I am therefore content that they accord with section 3.16 of the policy statement.

From the information provided with this application further conditions as outlined in HES policy statement 3.22 to ensure the works are undertaken in an appropriate manner are not required.

6. Recommended decision

I recommend consent is **granted**.

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

None

8. Approval

Officer	James Bruhn	Date	08/06/2016
Approved by	George Findlater	Date	05/07/2016

Annex A – list of supporting documents

- Site Plan