



Case information

Reference/Case ID	201601995		
Scheduled Monument	Melrose Abbey and Precinct		
Index no	M90214	Grid Ref	NT543344 354300.0000 634400.0000
Date of Application	21 June 2016	Application Received	13 July 2016
Summary of proposed works	Installation of new security gates for HES Depot.		

1. Summary recommendation

This report recommends that consent be granted.

2. Background

Melrose Abbey was founded in 1136, the first, and arguably the finest, Cistercian Abbey in Scotland. Following the Protestant Reformation, the Abbey and its precinct were redeveloped with the Abbey building being reworked into the parish church and the precinct lands around subdivided into varied private uses.

The area affect by this application is the Historic Environment Scotland works depot located to the northeast of the Abbey church. The depot occupies the buildings of a former brewery, built in the 19th century. There has been no known archaeological investigation of the area affected by the proposals outlined in the application.

3. Proposals

Consented works: Installation of new gates.

Description of works

- Removal of existing gate structure
- Excavation of two foundation holes for gateposts to a depth of approximately 800mm under archaeological supervision.
- Installation of new gate structure and making good of ground.

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.

3.16. 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.

3.19. 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.

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; 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 replacement of an existing security gate with a new slightly taller version. The existing gate has reached the end of its useful life and no longer meets requirements for securing the site. The superstructure and below-ground elements of the existing gate will be removed

The installation of the new gate will require the excavation of two new gatepost foundations. These gateposts will provide the only support for the new gate superstructure; there will be no additional fixing into walls. The post holes for the new gate require foundation holes measuring a maximum of 0.7m by 0.7m by 1m to support them. The depth of the existing post holes for the gate to be removed is unknown but is likely to be roughly the same scale. Given the limited space for the development, there is likely to be a significant overlap between the foundation holes for the current and new post holes.

The nature of the archaeological resource in the area affected by the application is uncertain, but given the proximity of the site to the Abbey church, and its post-medieval use for industrial purposes, it is possible that archaeological deposits relating to the monastic and later use of the area could be encountered. The applicants are aware of the archaeological potential of the area and the application is supported by a Written Scheme of Investigation (WSI) for an archaeological watching brief for the works. I am content that the scheme described in the WSI should be sufficient to record or safeguard any archaeological features or artefacts encountered.

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

None

d) Conclusion

The works described in this application represent disturbance and additions to the monument under part 1: 2: 2(b) of the Act and as such, scheduled monument consent is required.

I am content that the works described in this application will result in a minimal amount of disturbance to archaeological deposits and will not significantly alter the appearance or setting of the monument. As such I consider they will have a minimal impact on the cultural significance of the monument, in accordance with sections 3.16 and 3.18 of the Policy Statement.

I consider the application provides specific justification for the works, in accordance with section 3.17 of the Policy Statement.

I am content that the documentation supporting the application is sufficiently detailed to show that the proposals have been carefully considered, based on good authority, sensitively designed and properly planned, in compliance with section 3.20 of the Policy Statement.

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	Deirdre Cameron	Date	22/08/2016
Approved by	George Findlater	Date	24/08/2016

Annex A – list of supporting documents

- Melrose Abbey Depot gate proposal (139/214/042)
- Jacksons: unequal DL barbican gates (JF/1002280)
- Written Scheme of Investigation: Melrose Abbey, security gates (Kirkdale Archaeology)