

Scheduled Monument Consent: Report on Handling



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Case information

Reference/Case ID	201601908		
Scheduled Monument	Union Canal, Fountainbridge to River Almond		
Index no	M11097	Grid Ref	NT205702 320500.0000 670200.0000
Date of Application	09 June 2016	Application Received	11 July 2016
Summary of proposed works	Installation of twenty towpath cycle and pedestrian counters along the Union Canal from Edinburgh to Falkirk		

1. Summary recommendation

This report recommends that approval for the installation of towpath counters between Edinburgh and Falkirk be granted.

2. Background

The monument is of national importance because, as an integral part of the Union Canal, and an important piece of Georgian civil engineering. Designed by a noted Scots Engineer, Hugh Baird, and built 1818-23, its continuous watercourse was without need of a single lock, and was graced by three major aqueducts inspired by another great Scots civil engineer, Thomas Telford.

This application relates to the stretch of Canal between Edinburgh and Falkirk.

There have been a considerable number of previous consents and planning applications affecting this location since the introduction of our Casework Management System in 2009. Towpath Counters are also proposed for installation along the Caledonian, Crinan and Forth and Clyde Canals. The present application uses the same methodology.

3. Proposals

Consented works – The installation of twenty towpath counters between Edinburgh and Falkirk, via Linlithgow, Broxburn and Ratho.

The proposals comprise:

- Foundation hole dug at 350 mm x 350 mm
- Fixing of posts into the foundation at 350 mm depth
- Anchoring of post with use of Postfix cement
- Counters are all solar powered, and do not require ducting or additional power supply

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.

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

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, 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:

- 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;
- 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 installation of twenty towpath/cycle counters along the Union Canal from Edinburgh to Falkirk. These counters will monitor cyclist and pedestrian numbers along the canal.

The counters have been designed so that the physical impact of the proposed works will be minimal, forming part of an ongoing programme of works to the towpath of the Union Canal. The depth of the foundations will not have an effect on archaeological deposits or features associated with the canal.

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 low concentration and location of individual counters, away from the canal edge and along the tarmac and bitumen path, means that the counters will not have an adverse visual impact on the scheduled monument. The application is therefore considered compliant with paragraph 3.18 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 the installation of pedestrian and cycle towpath counters along the Union Canal from Edinburgh to Falkirk is the minimum necessary to conserve what is culturally significant in this scheduled monument. The works are being undertaken to elements of the monument in such a way that their impact on the cultural significance of the monument is minor, and as such the application is compliant with paragraphs 3.16 and 3.18 of the policy statement.

The application meets paragraph 3.20 which demonstrates/sets out that the works are carefully considered, based on good authority and properly planned. Consequently no further conditions are required.

6. Recommended decision

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 without conditions**.

7. Conditions

None.

8. Approval

Officer	Hazel Johnson	Date	01/09/2016
Approved by	George Findlater	Date	02/09/2016

Annex A – list of supporting documents

- Spreadsheet of counter locations
- Schematic of typical counter