



Case information

Reference/Case ID	201601931		
Scheduled Monument	Forth and Clyde Canal: Castlecary - M9 Motorway		
Index no	M6768	Grid Ref	NS785784 278500.0000 678400.0000
Date of Application	09 June 2016	Application Received	13 July 2016
Summary of proposed works	Installation of twenty five towpath cycle / pedestrian counters from Grangemouth to Bowling		

1. Summary recommendation

This report recommends approval without conditions for the above works.

2. Background

Scottish Canals have identified a need to create cycle/pedestrian counters along their canal network, including 25 along the entire length of the Forth & Clyde Canal.

The monument is of national importance as a superlative example of Georgian engineering. It was the first of Scotland's great inland waterways to be constructed (between 1768 and 1790) and even at the time of its opening in the 1770s it was christened 'The Great Canal', a recognition of its undoubted national importance even then. This application includes original parts of the canal as well as sections that were constructed subsequently, and affects a substantial variety of fabric from late 18th century to modern construction elements.

The physical fabric of the canal makes varying contributions to its cultural significance, depending on its age and condition. In general, the towpath surfaces and the adjacent grassy verges are of modern derivation. Therefore, the areas affected by this proposal do not make a significant intrinsic contribution to the national importance of the monument. However, they represent a significant contextual contribution as views along the towpath and channel are key to understanding and appreciating the form of the monument and the manner in which it functioned as a piece of industrial infrastructure.

There were no pre-application discussions. Additional information was sought and received from the applicant at various points, with the final material submitted on 31 August.

No planning permissions are required for the proposed works. Substantial numbers of Scheduled Monument Consents have been granted along the Forth & Clyde Canal in the last financial year – full details of these can be examined on the HES Decisions Portal. The applicant is pursuing similar schemes on other parts of the national canal network.

3. Proposals

It is proposed to install twenty five towpath cycle / pedestrian counters along the length of the Forth & Clyde Canal from Grangemouth to Bowling. Each counter would take the form of a black steel box measuring 350mm wide by 300mm tall by 100mm deep, supported on a steel pedestal inserted into a 350mm wide by 350mm deep concrete foundation. The counters are solar powered with no need for ducting or power supply, and use a low-wattage laser to detect the passage of canal users.

The locations chosen are on towpath surfaces or immediately adjacent to the towpath in the grassy verges or tarmacked areas.

4. Representations received

No representations have been 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.

3.17 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

Proposed justification

The applicant has supplied a short statement of justification, which sets out that the Forth & Clyde Canal is a major quality route for pedestrians and cyclists across the Central Belt. The use of this route has been strongly encouraged by the applicant, the partner Local Authorities and the Scottish Government through its National Outcomes and its commitment to sustainable and active travel. The statement also notes that there has been significant third party investment from Sustrans, Local Authorities and other parties over the last 14 years on enhancing access arrangements on the Forth & Clyde. It is a condition of recent funding from Sustrans that the success of towpath use can be accurately measured, thus demonstrating the benefits of increased and sustained use.

On balance, this appears to be a reasonable justification, and the determining factor in this application is therefore whether the impact of the proposed works is consistent with policy and legislation.

Impact of the proposed works

There will be direct and indirect impacts from the proposed works, which can be summarised as:

- The physical impact of the 25 hand excavations of 350mm square trenches to a depth of 350mm
- The impact on the setting of the monument through the placement of the counters in close proximity to the towpath

The locations chosen do not have historic fabric present, and the 25 trenches will not impact on anything other than the upper makeup of the canal embankment, which (as noted above) makes only a small contribution to the cultural significance of the canal – the overall form of the canal would be unaffected. On balance, it is considered that the physical impact of the 25 excavations would have no adverse impact on the cultural significance of the monument.

The counters would be clearly visible when moving along the towpath, and would add to the general signage, interpretation material and other modern infrastructure on the canal. However, it is estimated that they would be visible from less than 0.5% of the overall length of the canal. They are also generally concentrated in areas where there is already other modern infrastructure. Their recessive colour and relatively small size would mean they would only be clearly visible from within 40m or so, and then gradually fade into the background. On balance, it is considered that while there would be a very slight adverse impact on the ability to appreciate and understand the monument, this impact would be confined to a very small area of the overall canal.

Considering the proposed justification for the works and the potential for a very slight adverse impact on the scheduled monument, the proposal can be assessed in terms of Policy Statement 3.16.

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

See attached Protected Species and Places Assessment. The applicant has supplied a short statement from their natural environment advisor concluding that there would be no impacts on Protected Species and Places, or on other biodiversity issues, and that open excavations would be covered overnight to prevent a risk to otters and badgers (the latter are not covered in the Protected Species Assessment carried out by HES). Reviewing the supplied material, our own datasets and previous applications for the proposed counter locations, it is concluded that there would be no impacts which would prevent granting of consent.

d) Conclusion

The proposed works would have a very slight adverse impact on the cultural significance of the monument, and are therefore consistent with Policy Statement 3.16 as outlined above. The proposed works are also reversible in such a way that there would be no lasting impact on the monument beyond the intended three month duration, and are therefore consistent with Policy Statement 3.20 as outlined above. Finally, there would be a limited public benefit through the ability to monitor flows of towpath users, which would enhance future management of the canal.

Therefore, it is recommended that consent be granted. The applicant intends to start work imminently on several of the counters, and the works will be available to inspect during other case visits on this part of the canal. On that basis, no notification condition is recommended in this case.

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	John Malcolm	Date	02/09/2016
Approved by	Aonghus Mackechnie	Date	02/09/2016

Annex A – list of supporting documents

- 1) Spreadsheet of counter locations
- 2) Schematic of typical counter
- 3) Annotated canal survey sheets numbers FC 01 to FC 23 inclusive, as supplied in emails of 25 August from the applicant to Historic Environment Scotland.
- 4) Email of 31 August from applicant's natural environment advisor to Historic Environment Scotland