

# Scheduled Monument Consent: Report on Handling



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## Case information

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<b>Reference/Case ID</b>	201601998		
<b>Scheduled Monument</b>	Christ's Kirk, Kennethmont		
<b>Index no</b>	M11378	<b>Grid Ref</b>	NJ605268 360500.0000 826800.0000
<b>Date of Application</b>	13 July 2016	<b>Application Received</b>	18 July 2016
<b>Summary of proposed works</b>	Reduction of regenerating tree and scrub cover within and surrounding the chapel remains.		

## 1. Summary recommendation

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This report recommends that approval for the reduction of regenerating tree and scrub cover within and surrounding the chapel be granted.

## 2. Background

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The monument consists of the partly exposed, but mainly grass-covered, foundations and collapsed rubble-built lower walls of the parish church of Rathmuriel. The first certain reference to the church is at a date between 1191 and 1195, when it was granted to Lindores Abbey by the founder of that abbey, David, earl of Huntingdon. The church was united with Kennethmont in about 1630, and probably fell out of use for worship soon afterwards, though both church and churchyard continued in use as a burial place.

The monument is of national importance for its potential to enhance our understanding of the planning and liturgical arrangements of a medieval rural parish church that remained in use from at least the later stages of the reorganisation of the Scottish Church in the twelfth century up until the Reformation. Although it was presumably modified to some extent to meet reformed needs after the Reformation, since it passed out of use soon after being united with Kennethmont in 1630, it is likely to preserve the archaeological evidence for its medieval and early post-medieval dispositions better than would be the case with a church that had remained in use after then.

This application relates to the area of the chapel and the graveyard.

Heritage Management Field Officer Louise Rogers and Senior Heritage Management Officer Oliver Lewis have undertaken pre-application discussions with the applicant

regarding the scope and timing of works, and this application accords with the outcome of those discussions.

### **3. Proposals**

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Consented works –felling of tree and scrub cover within and surrounding the chapel.

The proposals comprise:

- Sectional felling of young regenerating sycamores close to the chapel.
- Felling on to neighbouring trees to avoid impact damage to ground or upstanding remains.
- Felled timber to be cut and stored away from the remains of the monument, to be collected in autumn 2016.
- Elder scrub to be cut down.
- Elder stumps to be left in situ and treated at a later date.
- Methodology and detailed location plan of the works have been submitted as part of the application.

### **4. Representations received**

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No third party representations were received

### **5. Report**

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#### **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)

3.14. A monument in 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.

#### **b) Assessment**

The works involve the removal and reduction of tree and scrub cover within and immediately surrounding the chapel remains.

The physical impact of the proposed works is minimal; the operation to fell and remove the sycamores and elder scrub has been designed so that felling is sectional, and the stumps will be left in situ and treated. The physical impact of these works on the monument will be minimal and will not damage or result in additional intervention to archaeological deposits. 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 removal of the regenerating tree and scrub cover is of conservation benefit and will assist in the long term preservation of the monument.

I consider that the prescribed methodology is sensitive, clear and well thought out, and that as such it will not have an impact on the monument. I consider therefore that the application is considered compliant with paragraph 3.20 of the policy statement. No further conditions are necessary.

#### **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 removal and reduction of tree and scrub cover within and immediately surrounding the chapel remains, 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 of the policy statement.

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

## 6. Recommended decision

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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

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None

## 8. Approval

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<b>Officer</b>	<b>Hazel Johnson</b>	<b>Date</b>	<b>06/09/2016</b>
<b>Approved by</b>	<b>George Findlater</b>	<b>Date</b>	<b>07/09/2016</b>

## Annex A – list of supporting documents

- Location map
- Image taken from S in area of chapel
- Image taken from E in area of chapel