Scheduled Monument Consent:
Report on Handling

Case information

Reference/Case ID	201602664

Scheduled Monument	Forth and Clyde Canal: Castlecary - M9 Motorway		
Index no	M6768	**Grid Ref**	NS785784 278500.0000 678400.0000

Date of Application	16 August 2016	**Application Received**	16 August 2016
Summary of proposed works	Upgrade of towpath from soft to hard surface		

1. Summary recommendation

This report recommends **approval without conditions**.

2. Background

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 but canal towpath upgrades similar to this proposal have been conducted many times in the last 11 years, and similar proposals have received scheduled monument consent.

3. Proposals

- Scarifying towpath to a depth not exceeding 100mm
- Removal of vegetation encroachment
- Regulating scarified towpath to introduce 1:40 cross fall

- Appling bitumen, upper layer containing stone chip to match existing towpath colour range
- Placing soil along towpath edges and seeding grass

It is proposed to upgrade the surface of the towpath from a soft to hard surface along a stretch of towpath on the northern side of the canal running from Bonnybridge to Lock 17, by Underwood Farm. A strategic overview of towpaths commissioned by Scottish Canals has suggested that hard towpaths have resulted in an increase in usage in several areas across the canal network and that soft surface towpaths have deteriorated badly in many areas. Hard surfacing is suggested as an improvement to the paths which allows for all-weather access and may contribute to their wider use.

The works will not widen the path. The final finish will be comprised of a bitumen emulsion layer incorporating grey stone chips which are intended to match the colour range across the towpath network.

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:

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

The proposals would involve scarifying and regrading the topmost 100mm of the existing towpath surface and the introduction of layers of bitumen above, the upper layer being dressed with stone chip to match existing towpath colour range. Because the works would be restricted to the upper surface of the towpath, it is likely that they would only impact on recent layers; it is very unlikely that there would be any impact on deposits or structures associated with the original canal or with 19th or early 20th-century path surfaces.

The proposals envisage matching the existing colour range of the towpath. However, it is likely that there would be a cosmetic change to the appearance of the path, its surface becoming harder and smoother. Although noticeable, this change would not negatively affect key views along the canal of views which link the canal and its associated structures. It would there be unlikely to have an appreciable impact on the cultural significance of the monument.

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

A Protected Species and Places Assessment was undertaken, and suggested the work will cause no negative impacts on any SSSI, SAC, or EPS in the area.

d) Conclusion

The proposals would involve very shallow disturbance to the existing footpath and the addition of a new hard surface finished with stone chips. There will be a small visual change, but negligible impact on the cultural significance of the monument. There is therefore no conflict with para 3.14 of the policy statement.

The proposed works would be part of a wider programme that is intended to improve access to the canal and encourage more people to access and enjoy the canal. Encouraging more visitors to use it for leisure purposes is consistent with the policy statement's key principles, particularly paragraph 1.9d.

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.**

7. Conditions

None

8. Approval

Officer	**Kevin Grant**	**Date**	**19/09/2016**
Approved by	**John Raven**	**Date**	**19/09/2016**

Annex A – list of supporting documents

- Location Map
- Methodology
- Statement regarding towpath use and upgrade