Scheduled Monument Consent: Report on Handling

Case Information

Reference/Case ID	300018599

Scheduled Monument	Kirkton Manor, enclosures 550m SE of		
Index no	SM3044	**Grid ref**	NT 22400 37700

Date application validated	17 October 2016
Summary of proposed works	Erection of fencing to prevent access and damage

1. Summary recommendation

This report recommends that approval for the fencing off of scooped settlement be granted.

2. Background

The monument is a prehistoric scooped settlement enclosure, 600 yards south east of Kirkton Manor in Peebleshire.

The monument is of national importance as an good example of a prehistoric domestic and defensive enclosure.

It is the scooped settlement to the north of a field track that this application relates to. The application is for the fencing off of the settlement at 6 metres distance to the edge of the monument, to prevent damage by passing horses. It follows a previous application appraisal and site visit by Rory McDonald in 2015 and pre application advice by James Bruhn in April 2016, culminating in a letter of support for the work from HES as part of an SRDP application. Scheduled Monument Consent Application has been submitted by the landowner.

The application is accompanied by an email outlining the methodology, a map showing the location of the proposed fence and a map detailing the location of the monument.

HES Heritage Management Directorate has 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

- Erection of 500 metres of rylock fencing along the path at a 6 metre distance from the boundary of the scheduled area.

Consented works – Installation of 500m of fencing

The installation of 500 metres of rylock fencing at a 6 metre distance from the upstanding areas of the scheduled monument by inserting fence stobs into ground at a 6 inch depth, using an automatic stob inserter.

Aims – The works to reinstate a fence on a new alignment to an existing path and field boundary, and to enclose the scooped settlement at Kirkton Manor aim to protect the monument from erosion by extensive horse traffic.

Timetable – The works are timetabled to take place in early 2017.

Personnel – The works will be undertaken by an agricultural contractor on behalf of the owner.

4. Representations received

No third party representations were received.

5. Report

a) Policy considerations

The application should be considered with the following legislative and policy considerations in mind:

Ancient Monuments and Archaeological Areas Act 1979

Part 1 Section 2: Consent for works affecting scheduled monuments.

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

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.

3.15. Monuments are subject to decay and the threat of destruction, from natural and human causes. Conservation work is normally needed to prolong the life of a monument, but there is a risk that this can be so invasive that it irreversibly modifies the monument's character and affects the special interest or features that made the monument important in the first place.

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.

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 proposed works involve the erection of 500 metres of fencing around the scooped settlement at the Kirkton Manor Enclosure. This is intended to protect the monument from erosion from passing horse traffic from a neighbouring riding school.

The physical impact of the proposed works on monument and its the cultural significance will be minor. The rylock fence stobs will be insterted at a depth of 6 inches, at a distance of 6 metres from the monument. The installation of the fence will be beneficial to the long term survival of the scooped settlement and any archaeological remains.

The physical impact of these works on the monument and its cultural significance would be comparatively minor, but the benefits to the long term preservation of the monument would be significant.

If the works as set out in the application are not undertaken with some urgency then there is a likelihood that the structural integrity of the scooped settlement will continue to deteriorate, with the likely outcome that historic fabric will be lost. It is therefore to the benefit of the long term preservation of the monument that the works are undertaken now.

The application has been accompanied by a project description and methodology for the automatic insertion of the fence stobs that is well considered and as such is compliant with 3.20 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 proposed works, comprising the erection of 500 metres of fencing alongside the monument are the minimum necessary to conserve what is culturally significant and so are compliant with paragraphs 3.16 and 3.18 of the policy statement.

The works, comprising the erection of the fence are being done to elements of the monument in such a way that they will have minimal impact on the cultural significance of the monument. They do not, therefore, conflict with paragraphs 3.16 and 3.18 of the policy statement.

The works have been proposed in order to ensure the long term preservation of the monument and so are justified in accordance with paragraph 3.17 of the policy statement.

The application meets paragraph 3.20 because it has demonstrated that the works have been carefully considered, based on good authority and properly planned.

Consequently, no conditions are considered necessary.

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

No conditions have been attached to this decision.

8. Approval

Case officer	Hazel Johnson	**Date**	12 December 2016
Approved by	George Findlater	**Date**	13 December 2016

Annex A – list of supporting documents

- Email 10/12/16 outlining methodology
- Map of proposed fence Ref. 1
- Map of location of Monument Ref. 2