



## Case Information

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<b>Reference/Case ID</b>	300018894		
<b>Scheduled Monument</b>	Spynie Palace		
<b>Index no</b>	SM90282	<b>Grid ref</b>	NJ 22800 65800
<b>Date application validated</b>	16 December 2016		
<b>Summary of proposed works</b>	Spynie Palace - Investigative archaeological survey to establish extent of remains of well		

## 1. Summary recommendation

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This report recommends that approval for an excavation to expose the edges of the well and its immediate environs be granted without conditions.

## 2. Background

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### The historic environment asset and its cultural significance

The monument comprises the remains of the palace of the bishops of Moray at Spynie. The earliest surviving parts of the palace date to the 14th century, and include a first-floor chapel and entrance gateway to the S and what may have been a hall range with tall traceried windows on the W. these would have enclosed two sides of a roughly rectangular area, protected apparently by a rounded tower on the SW and defined on the N and E by the natural fall of the land down to the edge of Spynie Loch.

In the 15th century, a large rectangular tower replaced the earlier corner-tower and it is one of the largest tower-houses in Scotland, containing a first-floor hall below three floors of chambers and an additional attic storey. To the N of the tower, the earlier hall range was demolished and replaced by a service range. Around 1500, a great hall was built on the N side of the site, with bakehouse and kitchens to the W of it. At about the same time, the old S entry was replaced by a new gate on the E, and rectangular towers were added to the NW and SE corners.



The modern approach to the castle is along an avenue from the W, and to the N of this avenue close to the former shoreline of Spynie Loch lies a well. Known as the 'Bishop's Well', an engraving from the early 1800s shows a row of cottages on the edge of the loch in this location, and it is possible that the 'Bishop's Well' is therefore post-medieval in date, rather than associated with the palace as such. It is this well that is the subject of this application.

The cultural significance of the well is vested in its importance certainly as a key component of the later post-medieval use of the site, and potentially as a component of a well-preserved medieval Episcopal residence that former once of the most significant power centres in Moray. Archaeological deposits may be contained within the well and its environs that could help inform the understanding of the well and its use.

## The applicant

The application is for an excavation to expose the edges of the well and its immediate environs, and it is designed to help inform the subsequent design of a cap to the well that will address health and safety issues associated with unprotected drops. The application has been submitted by HES Conservation Directorate, who manage Spynie Palace as a paid-for visitor attraction. The application is accompanied by an archaeological WSI (since updated) to cover the excavation and a background paper setting out the reasoning behind the proposed course of action.

## Pre-application discussions

The applicant has discussed the proposed works with HES Heritage Directorate, and the current application accords with the outcome of these discussions. The well was partially excavated in 1987, although records are imprecise in terms of what survives of the edges of the well. Whilst a more extensive excavation could help inform understanding of the well, it was agreed prior to submission of the application that the focus would be on undertaking only those archaeological works that would help resolve the health and safety issue. Subsequent to the application being made, an updated WSI was submitted to include a plan showing the maximum size of the proposed trench.

## **3. Proposals**

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- Excavation to expose the edges of the well and its immediate environs, involving the removal of soil down to features identified in the 1987 excavation up to 1m out from the edges of the well.

Consented works – the works comprise an excavation to expose the edges of the well and its immediate environs.



Aims – the purpose of the works is to expose the edges of the well and its immediate environs, so as to help inform the subsequent design of a cap to the well that will address health and safety issues associated with unprotected drops.

Timetable – the applicant hopes to undertake the work within the next year so as to address the health and safety issues in a timely manner.

Personnel – the excavation will be monitored by Kirkdale Archaeology, who are suitably qualified and experienced with working at monuments within the care of HES.

## 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 considered with the following legislative and policy considerations in mind:

#### Ancient Monuments and Archaeological Areas Act 1979

Part 1 Section 2: Control of works affecting scheduled monuments.

#### 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.

3.16. 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.

3.19. Extensive intervention will only be allowed where it is clearly necessary to secure the longer-term preservation of the monument, or where it will clearly generate public benefits of national importance which outweigh the impact on the national cultural significance of the monument. Such public benefits could come from, for example, interventions which make public access to scheduled monuments easier, or assist public understanding, or will produce economic benefits once the works are completed.

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 excavation to expose the edges of the well and its immediate environs, and it is designed to help inform the subsequent design of a cap to the well that will address health and safety issues associated with unprotected drops. It does not involve the installation of a cap, as this will be covered by a separate application in due course.

The physical impact of the excavation to expose the edges of the well and its immediate environs on the monument and its cultural significance will be negligible, as the works have been designed to minimise impact on previously undisturbed historic fabric. The works will involve removing soil that has accumulated or has been backfilled since the 1987 excavations, locating the features previously identified in 1987, and establishing whether the circuit of stones around the well is complete, followed by creating an appropriate drawn and photographic record. This work should therefore most likely impact upon previously disturbed deposits, although there is the potential for impact on previously undisturbed archaeological deposits if the 1987 features cannot be accurately identified. As such, the works are not considered to impact on the cultural significance of the monument.

The subsequent capping of the well is designed to address health and safety issues associated with unprotected drops and public access to this part of the monument; in order for this work to be undertaken, there first needs to be an information gathering exercise to inform the design of the cap, and this is what this application is for. The works therefore facilitate an improvement to the safety of visitor access to this area. As such, the works should enable an enhanced appreciation of the monument and the historic environment in general.



The application has been accompanied by a detailed written scheme of investigation (WSI) that sets out a well-considered, appropriate and careful methodology. The WSI sets out a suitable method and timetable for reporting and process for designing post-excavation analyses and reporting. The project team are highly experienced and have an established track record of successful delivery of archaeological projects through to publication. Accordingly, the specified method of the work is appropriate to ensure it is undertaken to a professional standard, including post excavation, reporting and archiving. It reflects all professional expectations.

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

No impact on Protected Species and Places is considered likely.

## **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 works, comprising an excavation to expose the edges of the well and its immediate environs, are being done to elements of the monument in such a way that they will have a negligible 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 objectives of the proposed work have a clear public benefit, as they will inform the subsequent design of a cap to the well that will enable renewed and safer access to the area surrounding the well; this renewed safer access has the potential to help foster an appreciation for the monument. As such, the works meet with paragraph 3.17 of the policy statement.

Although the works are effectively destructive in nature, the works would affect only a very small proportion of the monument and are designed to be largely within material that has previously been disturbed, so they are therefore not considered extensive. As such, they do not conflict with paragraph 3.19 of the policy statement.

The application meets with paragraph 3.20 of the policy statement because it has demonstrated that the works have been carefully considered, based on good authority, sensitively designed and properly planned. Consequently, no conditions are considered necessary.

## **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.

# Scheduled Monument Consent: Report on Handling



HISTORIC  
ENVIRONMENT  
SCOTLAND

ÀRAINNEACHD  
EACHDRAIDHEIL  
ALBA

I recommend consent is **granted without conditions**.

## 7. Conditions

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No conditions have been attached to this decision.

## 8. Approval

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<b>Case officer</b>	Oliver Lewis	<b>Date</b>	08 February 2017
<b>Approved by</b>	Iona Murray	<b>Date</b>	09 February 2017

### Annex A – list of supporting documents

- Location plan – 463/282/231
- Updated WSI – dated 27 January 2017
- Background paper setting out reasoning behind works at the well – dated 01 March 2016