HISTORIC ENVIRONMENT SCOTLAND | ÀRAINNEACHD EACHDRAIDHEIL ALBA

Scheduled Monument Consent
Report on Handling

Case Information

Reference/Case ID	300023932

Scheduled Monument	Dunnottar Castle		
Index no	SM986	**Grid ref**	NO 88108 83875

Date application validated	17 April 2018
Summary of proposed works	Walkway Drainage to East of The Pends

1. Summary recommendation

This report recommends that approval for walkway drainage to east of The Pends be granted with one condition.

2. Background

The monument is a medieval castle that stands on a dramatic coastal promontory potentially used in the prehistoric and Early Historic periods. There are extensive upstanding buildings that date from several periods. The oldest standing part is the early 15th century keep. A range of buildings extending east of the keep contains stables and storehouses. The buildings to the northeast of the site are grouped around a courtyard and include a mansion house, lodgings and chapel. They date from the late 16th or early 17th centuries. A huge water tank lies within the courtyard and there is also a bowling green to the west of this range. The gatehouse, on the west side, is approached by a steep path defended by three tiers of splayed gun-loops.

The scheduled area is the whole headland and an area to the west that includes the access to the castle. There are no exclusions.

The monument is of national importance because it is a substantial medieval castle with later components in a very dramatic setting on a high promontory ringed by cliffs. It can make a significant addition to the understanding and appreciation of the past and retains its structural characteristics to a marked degree. It makes a very significant contribution

to both the historical and modern landscapes, and its importance is enhanced by documentary references that shed light on its use from the reign of William the Lion (1165-1214) until it was finally forfeited in 1716.

This application relates to an area immediately east of the main access into the castle from the west. It is for shallow drainage trenches to improve drainage around the timber walkway that visitors cross when entering the castle. It has been submitted by the owner.

The application is accompanied by an aerial photograph showing the proposed location of the drains and a sketch drawing showing the proposed drains in plan and section. The applicant has also submitted an email giving reasons why raising the walkway would be problematic, illustrated by three photographs.

HES Heritage Management Directorate has undertaken pre-application discussions with the applicant regarding the scope and timing of works.

3. Proposals

- Excavate drainage trenches
- Lay perforated plastic pipe and pea gravel
- Backfill with topsoil and reinstate with turf/grass seed.

Consented works – Walkway drainage to east of The Pends

The proposed drainage trenches would have a maximum depth of 250mm and maximum width of 250mm.

One drain would be inserted below the walkway and would run east/west for up to 10m. At the west end, it would be connected to an outlet pipe extending north for up to 7m. The outlet would be open ended and would discharge into the rough grass.

Another drain up to 10m long would lead northwest from the east end of the walkway into the rough grass.

Within the drain trenches, 100mm thick perforated pipe would be laid, surrounded by pea gravel. The trenches would then be backfilled with topsoil and reinstated.

Aims – The drains are being proposed because the wooden walkway that carried visitors into the castle is becoming wet and muddy, creating a slip hazard on the boards and adjacent stones. People are avoiding the muddy walkway causing erosion of the nearby grass areas.

Timetable – the work is likely to be undertaken in 2018.

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: 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.

3.18. 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 insertion of shallow drains at the walkway east of The Pends. This is intended to stop the area becoming wet and muddy and deal with associated health and safety risks.

The physical impact of the proposed works would be minimal. The drainage trenches would be no more than 250mm deep. A condition to consent is recommended to ensure that archaeological monitoring is undertaken during the works. This would mean that any significant archaeological remains encountered during excavation could be identified and left undisturbed, and would ensure the proposals have no impact on the cultural significance of the monument.

The proposed works have been carefully considered and sensitively designed. The applicant considered whether the muddy conditions here might be controlled by raising the height of the walkway and providing more substantial timber runners beneath it, avoiding the need for drainage. However, we have accepted that this alternative solution is problematic because there is a lack of headroom where the walkway meets the arch into The Pends at the west end. We are therefore content that provision of drainage represents the minimum level of intervention in the circumstances.

The proposed works are very small scale and are not assessed as extensive. However, they would have benefits for the large number of visitors to the castle by improving access and reducing the slip hazards presented by wet and muddy surfaces. They should also prevent the erosion of the ground surrounding the walkway by removing the need for visitors to avoid the walkway.

No WSI for archaeological monitoring has been provided as part of this application, although the applicant has acknowledged that archaeological mitigation would be required. The details of this mitigation would need to be agreed and controlled through a WSI. The provision of a WSI would enable the application to be considered compliant with paragraphs 3.16, 3.18, 3.20 and 3.22 of the policy statement. To ensure this it is recommended that a condition requiring provision of a WSI is applied.

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

No impact on Protected Species and Places 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.

If accompanied by appropriate archaeological monitoring, the proposed works could be done to elements of the monument in such a way that they would have no impact on the cultural significance of the monument.

Therefore, in order to ensure the works comply with the policy statement conditions as outlined in paragraphs 3.16, 3.18, 3.20 and 3.22, a condition is considered necessary.

Condition 1 is to ensure that a WSI for archaeological monitoring is agreed in advance with HES, to ensure the excavation of drainage trenches is monitored and that any significant archaeological remains are not excavated but left in situ.

6. Recommended decision

Subject to compliance with the schedule of conditions, 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, subject to the condition detailed below**.

7. Conditions

1. No work requiring scheduled monument consent shall take place within the scheduled area until the applicant has secured the initiation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI)/project design and has had this WSI approved in writing by Historic Environment Scotland. This scheme of works shall be fully implemented during the course of the approved development.

   Reason: to ensure that archaeological information is recovered and recorded to a satisfactory standard, and that any significant archaeological remains are identified and preserved in situ.

8. Approval

Case officer	Richard Heawood	**Date**	05 June 2018
Approved by	Iona Murray	**Date**	06 June 2018

Annex A – list of supporting documents

- Aerial photograph showing the proposed location of the drains.
- Sketch drawing showing the proposed drains in plan and section.
- Email with three photographs explaining why drainage rather than works to the walkway have been proposed.