Scheduled Monument Consent Report on Handling

This Report on Handling should be read with the associated Decision Notice, which provides a summary of our decision.

Case Information

Reference/Case ID	300079438
Scheduled Monument	Dunnottar Castle
Index no	SM986
Grid reference	NO 88108 83875
Received or validated	25 April 2025
Summary of proposed works	Excavation to investigate a suspected underground water leak adjacent Silver House

1. Summary recommendation

This report recommends that consent for excavation to investigate an underground water leak be granted with one condition.

2. Background

The application is for excavation of trial pits to locate underground pipework which is causing a water leak and pooling of water adjacent to building foundations of the Silver House and West Range. It is being proposed in order to find and repair drainage and service pipework to stop the water leak within the monument. Dunecht Estates has submitted the application, accompanied by a location plan, a site plan showing the proposed works location, a methodology for the excavation work, and Written Scheme of Investigation (WSI).

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 north-east of the site are grouped around a courtyard and include a mansion house, lodgings and chapel (the Quadrangle). 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 the west side of the Quadrangle adjacent to the West Range and the Silver House, on the area of the later Bowling Green. These elements of the buildings were completed by George Keith, the fifth Earl Marischal, and the West Range is thought to be the oldest part of the lodging complex, first started by George's father William Keith. The Silver House provides access to the first floor of the West Range, comprising a long gallery, under which were a series of seven chambers, each with a doorway, window to the courtyard and a fireplace. The layout of the ground floor lodgings at the castle on the West Range is unusual in Scotland, and as a rare surviving example of this building type, they make an important contribution to the cultural significance of the monument.

3. Proposals

- Excavation of trial pits

Works

The proposed works consist of the hand excavation of trial pits, following a CAT scan of the area around the leak to identify the location of service pipes, which is currently unknown. The pits would measure approximately 1m x 1m to an anticipated depth of 600mm, although the precise depth of the buried pipework is also currently unknown. The location of the proposed test pits are focused on the waterlogged ground and is shown on the accompanying plan in red. This plan, submitted with the application, also shows the estimated location of underground services which will be targeted by these works. The number of trial pits required to investigate the water leak will be dependent on ground conditions and the location and number of services encountered, however the excavation will be restricted to the red area shown on the aforementioned plan.

The works would be undertaken in the area of the Bowling Green adjacent to the 16th and 17th century buildings of the Quadrangle. The turf in the red area marked on the plan would first be cut and and stored to one side. The excavation of the test pits would be undertaken by hand and monitored by an archaeologist. The soil removed from the pit would be stored to the side to allow the archaeologist to inspect it, if required, and then the pits would be backfilled and the site reinstated once repair works have been completed. Should archaeological deposits and/or features be encountered, they would be recorded and left in situ and HES will be notified. Archaeological investigation or sampling of any features identified will only be undertaken with the prior agreement of HES.

Personnel

The proposed works would be carried out by the Dunecht Estates maintenance team and an approved plumbing contractor. The archaeological monitoring would be carried out by Cameron Archaeology.

Timetable

A timetable for the proposed works has not been confirmed.

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.

Scheduled Monument Consents Policy

Scheduled Monument Policy Aim

A monument is included in the schedule to secure its long-term protection in the national interest, in situ and as far as possible in the form it has come down to us. The aim of this policy is to ensure this long-term protection wherever possible.

Scheduled Monuments Principles

- 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 that is the primary consideration in determining applications for consent at scheduled monuments.
- The principle of preserving scheduled monuments will only be set aside in circumstances where wider considerations are deemed, on balance, to be of greater importance to the national Interest.
- The more important particular features are to the monument's cultural significance, the greater will be the case against interventions which modify those features.
- Each monument will require treatment specific to its individual nature, characteristics, significance and needs. Any proposed change to it should be fully and explicitly justified.

- The management of scheduled monuments should be informed by current policy and guidance, up-to-date professional and academic research and, where appropriate, relevant consultation.

Scheduled Monument Policy 1

When undertaking works to scheduled monuments, their significance should be maintained.

Scheduled Monuments can have meaning and value beyond their physical remains. Many have important historical, cultural or emotional associations that give them a particular significance in the life of the nation, or of the local community within which they are set. Many also have outstanding landscape or picturesque values. When undertaking works to them, it is therefore essential their significance is maintained and not reduced.

Scheduled Monument Consent Policy Aim

Works on scheduled monuments should normally be the minimum level of intervention that is consistent with conserving what is culturally significant in a monument.

Scheduled Monument Consent Policy 1

Works to scheduled monuments will normally only be permitted if they have minimal impact upon a monument's cultural significance.

Scheduled Monument Consent Policy 4

Proposals for change should be carefully considered, based on good authority, sensitively designed, and properly planned and executed. The level of information provided should be in proportion to the sensitivity of the monument or feature and the level of change proposed.

For all applications where change is proposed, the following factors will be taken into account when considering if works meet this policy:

a. the use of appropriate assessment methodologies to determine the full impact of any proposed management, use or development on a monument's fabric and/or cultural significance.
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 and wider cultural significance .
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 competent archaeologists with a satisfactory record of the completion and publication of projects.
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 would have the following impacts:

The physical impact of the works would be the stripping back of turf and ground disturbance within the site through excavation, down to a maximum estimated depth of 600mm or to the depth of the service pipes, whichever is shallowest. The ground disturbance would be confined to a series of trial pits within the marked area shown on the accompanying plan, around the service pipes, to be identified by a CAT scan of this area. The excavation would be within topsoil, down through previously disturbed ground in which the existing service pipes have been installed. The aim of the works is to locate a leak within the water pipe/drainage system, and so the targeted nature of excavation at the service pipes will minimise the impact of the works on the monument.

The overall physical impact of the proposed works on the monument and its cultural significance would therefore be minimal, but should also help to confirm and record the location of modern service pipes which is currently unknown. The works would also prevent further water leakage in the area around the foundations of the 16th and 17th century buildings at the Quadrangle which make an important contribution to the cultural significance of the monument.

The visual impact of the works would be none. All trial pits would be backfilled after the works and the monument in this area would be returned to its previous appearance as part of the Bowling Green.

The application has been accompanied by a Written Scheme of Investigation that sets out a well-considered, appropriate, and careful methodology. The application does not include a timetable for the works at present and condition is therefore applied to ensure HES can have the opportunity to monitor the works adequately in compliance with Scheduled Monument Consent Policy 4.

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 proposed works would have minimal impact on the cultural significance of the monument and comply with Scheduled Monument Consent Policy 1.

The application is, on the whole, carefully considered, sensitively designed, and properly planned. However, further information is required to enable the application to be fully compliant with Scheduled Monument Consent Policy 4. Consequently, a condition is required.

6. Recommended decision

Subject to compliance with the schedule of conditions, the works comply with scheduled monument consent policies and other relevant considerations.

I recommend consent is granted, subject to the conditions detailed below.

7. Conditions

1. Not less than two days before any works requiring scheduled monument consent begin, Historic Environment Scotland shall be informed in writing of the timetable for the proposed works. Historic Environment Scotland will be informed in writing of any changes to the timetable prior to the works being carried out.

   Reason: to enable a representative of Historic Environment Scotland to visit the site and monitor the trial pit excavation works in progress.

8. Approval

Case officer	Sarah Hannon-Bland
Date	28 April 2025
Approved by	Iona Murray
Date	28 April 2025

Annex A – list of supporting documents

- Location plan
- Estimated location of underground services plan
- Written Scheme of Investigation