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email version

30^h November 2009

Dear Mr Mackie

Response to Consultation on Historic Scotland Guidance Notes – Managing Change in the Historic Environment

Archaeology Scotland welcome Historic Scotland's work in designing these Guidance Notes on *Managing Change in the Historic Environment* and the opportunity to comment on them before they are adopted as Scottish Government policy statements. The posting of these documents as a replacement to the former *Memorandum of Guidance of Listed Buildings and Conservation Areas (1988)* fills a very definite gap in guidance being offered by Historic Scotland and as a supplement to the basic principles of the SHEP (Scottish Historic Environment Policy) is to be welcomed. The draft Guidance Notes are well laid out and easy to read.

As these guidance notes are proposed to be about principles, the fundamental message overarching all the notes should clearly be that the Historic Environment is fully recognised for its inherent and economic value. Furthermore, the historic environment has an important role in mitigating climate change through regeneration, maintenance and repair of existing fabric which retains embodies energy and reduces energy input.

Following the instructive workshop held jointly by Historic Scotland and the Built Environment Forum Scotland, we do have some specific and some more general concerns about the Guidance Notes as presently designed.

General Comments

1. *Managing Change in the Historic Environment* – as discussed at the BEFS workshop consideration should be given as to whether this title for the series is appropriate. Though recognising that change is inevitable and often to be embraced, change to historic environment features and structures is not always appropriate and should sometimes be resisted. The title is encouraging change and change, *per se*, should not always be approved.
2. *Guidance Note purpose* – These documents appear to be forming two functions; informing the public of the principles and processes underlying protection and management of the historic environment and providing policy positions for development control officers in local authorities. Both these objectives are important and should be supported by Historic Scotland, but it may not be possible to do this within single Guidance Notes. It was recognised in the BEFS workshop that Planning Authorities need clear statements of policy for development planning. While interpretation of policy is done by individual local authorities, statements of the principles underlying such decisions are clearly needed, at a level of detail beyond what is stated in the SHEP.

3. *Language of document* – Following on from the above discussion, it was clear to all attending the BEFS workshop that the language used in these documents was too weak, using terms like ‘can and ‘could’ rather than ‘should’ or ‘must’. As policy guidance a clearer statement of principles needs to be made.
4. *Focus on significant buildings* – the text of these notes reflects their origin in the *Memorandum of Guidance*. These notes need to be more clearly widened to be inclusive of wider archaeological and historic environment interests than just buildings, and particularly those designated as nationally important. While this may be partly addressed in future Guidance Notes, these initial notes should all be consistent with Historic Scotland’s policy role. **Key outcome 1** of the SHEP states that ‘Scottish Ministers are determinedthat the historic environment is cared for, protected and enhanced for the benefit of our own and future generations’ and paragraph 3.11 of the SHEP states that ‘Scottish Ministerslook to Historic Scotland to advise other bodies on the sustainable management of the historic environment.’
5. *Consistency* – Greater care is needed to make sure that the terminology within individual Guidance Notes is consistent. This is relevant to the comments above.
6. *Climate change*- The Guidance Notes need to incorporate current government policy and thinking on climate change. There is no emphasis on maintaining existing buildings for their embodied energy and the heat retention abilities of traditional materials. Thermal efficiency can be achieved without necessarily altering buildings (such as using loft insulation rather than installing micro-renewables) and it would be worth providing guidance on how to adapt to climate change without affecting the architectural fabric of existing structure or damaging archaeological features and deposits.
7. *Glossary of terms* – It is clear that a glossary of terms is needed, probably as a separate Guidance document. This would help define individual terms both legally and to the general public.

Specific comments

Archaeology Scotland does not feel it is within the scope of the organisation’s remit to comment on all the Guidance Notes and therefore we have restricted our comments to the following:

Boundaries

Reflecting the origins of this document from the *Memorandum of Guidance*, Archaeology Scotland considers that this note is overly focused on the urban and grand. Boundaries have a crucial role to play in defining and retaining the landscape character of the historic environment, helping identify the significance of places. This importance is not restricted to listed buildings and conservation areas.

In rural areas boundaries are often protected not through statutory legislation, but through cross-compliance requirements of government funding such as the Single Farm Payment and Land Managers Options available to farmers managing over 70% of rural land. The basic cross compliance regulation for the basic Single Farm Payment states:

15 (i) Do not damage, nor without the prior written agreement of SEERAD and/or other statutory bodies remove or destroy any of the following boundary features: drystone or flagstone dykes, turf and stone-faced banks, walls, hedges and hedgerow trees, boundary trees and watercourses.

<http://www.scotland.gov.uk/Publications/2004/10/20108/45384#3>

While Archaeology Scotland with support from Historic Scotland has produced previously a series of advice notes for farmers and other land managers to deal with boundary features such as dykes, hedges and earthen banks, (<http://www.archaeologyscotland.org.uk/?q=node/50>), it is important that the new guidance notes clearly describe the importance of rural boundaries and the cross compliance regulations applicable from other arms of the Scottish Government. We are

happy to work with Historic Scotland to make our guidance material more widely available and would be happy to discuss how this could be done.

While development guidance is restricted to built structures, it is important in this guidance to include organic features like hedges, hedgerows, heritage and urban trees, as these have a significant effect on the appearance of our rural and town landscapes. The Scottish Government, and the UK government, has signed up to the principles of the European Landscape Convention and the principles of the ELC should permeate this document beyond issues like setting.

Extensions

This guidance note is specifically designed around listed buildings but in line with the wider historic environment remit of the SHEP this should be expanded to express concerns about building extensions in places and areas of archaeological interest. This archaeological interest may also include the fabric of a building being altered when an extension is being made (e.g. the insertion or alteration of a doorway to connect with an extension). With the proposed expansion of permitted householder development rights to include 40% (to a maximum of 60 square metres) means that significant impacts may occur on areas of high archaeological interest without any involvement of local authority archaeology and development services, unless they are fortuitously within conservation areas, scheduled monument areas or the curtilage of listed buildings. Therefore, guidance from Historic Scotland on appropriate procedures for householders to consult would be helpful here. This should be in stronger language than the current statement:

- Archaeology and the layout of land rigs, important features of the historic fabric of some older towns, *should be respected* in any new development. [our highlight]

Micro-renewables

As with the other Guidance Notes, Archaeology Scotland would see this note as focusing almost exclusively on the impacts of micro-renewables on buildings, again reflecting the origins of this note from the *Memorandum of Guidance* principles. In terms of buildings, the coverage is fairly good and is less focused than other notes exclusively on listed structures.

We are concerned that not enough emphasis is given to the negative impacts these installations may have on archaeological deposits and structure. While recognising that the thrust of these documents is to encourage appropriate change, ground source heat-pump trenches and the cable trenches needed for all forms of micro-renewable energy can have a major archaeological impact. We would therefore suggest that consultation of local authority archaeological services and online databases should be encouraged as a standard procedure.

This note makes no reference to embodied energy within buildings or procedures to identify what technology is appropriate for particular buildings, concentrating more on the impacts of such technologies. We understand, for example, that Energy Savings Trust website (<http://www.energysavingtrust.org.uk/scotland>) suggests that micro-renewable wind turbines are not suitable in most urban settings because of the issues of turbulence and unreliability of wind supply. It would therefore be helpful to give guidance on the appropriateness of particular technologies to the historic environment rather than only their impacts, particularly as there may be grants available from other arms of government to encourage their installation.

Setting

Archaeology Scotland believes this should be underpinned by reference to the European Landscape Convention, to whose principles both the UK and Scottish Governments have signed up. The issue of setting is not just a visual issue. SNH have worked with Historic Scotland to support local authority landscape designations (<http://www.snh.gov.uk/strategy/sr-s100.asp>) and more could be made of these to inform issues of setting. HS should be encouraging consistency of approach across Scotland (e.g. to correct the limited landscape designations in Angus and Perth & Kinross-shire).

Assessing the impact of setting is not the same as evaluating the significance of individual settings and landscapes. Historic Scotland could do more to help define significance beyond areas protected by statutory designations. There is no process defined here to achieve such an assessment. The confusion identified in the three BEFS workshops between Setting and Landscape shows a need for greater clarity here.

The term 'historic structures' within the notes does not demonstrate the breadth of topics to be considered; in particular, archaeological deposits and historic landscapes are not easily encompassed in this term. This may well require separate Guidance Notes and specific Guidance on topics like Gardens & Designed Landscapes, Battlefields, but also cross referencing to Setting and Landscape in other Guidance Notes

Other topics

Accepting that the initial focus of these documents is restoring the principles of the *Memorandum of Guidance* and that our wider concerns will be addressed in the initial documents, Archaeology Scotland would wish to see guidance issued to cover wider issues such as,

- access to case studies and other exemplars of good practice
- guidance on accessing, using and the significance of SMRs (Sites & Monument Record Services and HERs (Historic Environment Records Services)
- landscape concerns (as well as specific guidance on gardens & designed landscapes and battlefields and possibly other key landscape types) that cover all aspects of historic & cultural landscapes
- integrating the historic and natural environment
- education & the historic environment (especially given the role of the Heritage Education Forum in promoting the historic environment through Learning Teaching Scotland & the Curriculum for Excellence and the appointment of Cultural Coordinators to schools).

In summary, we welcome the purpose behind introducing these Guidance Notes and also welcome the opportunity to consult on these topics. We look forward to discussing in more detail how our concerns might best be addressed in these and future guidance material.

Yours sincerely



Eila Macqueen
Director