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Dear Colleague

SCOTTISH HISTORIC ENVIRONMENT POLICY PLANNING CIRCULAR 9 2009

I am very pleased to inform you that a revised Scottish Historic Environment Policy (SHEP) is launched by Scottish Ministers today, superseding the edition published at the Planning Summit in October last year. An Annex of the new document lists all the changes made since that edition. The document can be downloaded from the link below from 14.00 today:
<http://www.historic-scotland.gov.uk/index/heritage/policy/shep.htm>

There are two significant additions. First, a new chapter, superseding the existing UK policy, sets out revised responsibilities of government bodies for the care of the historic environment in their ownership. Second, Ministers publish their policy on historic battlefields.

Historic Battlefields

Ministers consulted on historic battlefield policy in 2008 and have made significant changes to the policy consulted upon, to take account of the comments they received. The consultation document and the analysis of the responses can be found at <http://www.historic-scotland.gov.uk/index/about/consultations/closedconsultations.htm>

Chapter 2 of the SHEP, on 'Designations', sets out in paragraphs 2.62 to 2.73 the basis of the non-statutory Inventory of historic battlefields. Historic Scotland will commission the creation of the Inventory using the criteria set out in Annex 5 of the SHEP. It is our intention that the Inventory will appear in two parts. The first part - mainly key 'iconic' sites - will be published in 2011, and the second part a year later. The draft Inventory will be subject to consultation with local authorities, relevant public bodies, and, through advertisement, other key stakeholders such as landowners and local communities.

The Inventory will only come into effect once the Development Management Regulations are amended. It is intended that this will be done at the same time that the first part of the Inventory is published. Chapter 3 of the SHEP 'Consents' gives planning authorities and others prior sight of the policy on

how to deal with battlefields in the planning process that will be brought into force in 2011.

Between now and 2011 Historic Scotland will be inviting planning authorities and other relevant bodies to work in partnership to create best practice guidelines for the management of battlefields in planning and land management systems, and to help draft the criteria to determine when Historic Scotland should be consulted on development or management proposals affecting an Inventory battlefield.

In the meantime, many planning authorities and other public bodies already list historic battlefields in their Historic Environment Records and take account of them in making planning and management decisions. There should be no change to current practice until the Inventory is given legal effect in 2011. Forward plans should take account of the battlefield policy that will come into effect during such plans' currency. This is particularly important in the case of Planning Authorities in the preparation of their Development Plans.

Planning Circular 9 2009

The Directorate for the Built Environment is publishing today Planning Circular 9 2009 *Withdrawal and Replacement of the Memorandum of Guidance on Listed Buildings and Conservation Areas*, available from <http://www.scotland.gov.uk/Topics/Built-Environment/planning/publications/circulars/Q/editmode/on/forceupdate/on>

This formally withdraws the 1998 *Memorandum* and confirms that the Scottish Historic Environment Policy, Scottish Planning Policy 23 (which is to be incorporated during 2009 into a combined Scottish Planning Policy) and Historic Scotland's *Managing Change in the Historic Environment* guidance note series are the documents to which planning authorities are directed in their consideration of applications for conservation area consent, listed building consent for buildings of all three categories A, B and C(S), and their consideration of planning applications affecting the historic environment and the setting of individual elements of the historic environment. The Circular also directs Planning Authorities to these documents to assist them in development planning.

Please do not hesitate to get in touch if you have any queries.

Yours faithfully

Gordon Barclay

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