



**RTPI**

mediation of space · making of place

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SHEP on Battlefields  
Historic Scotland  
Room 2.9  
Longmore House  
Salisbury Place  
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9<sup>th</sup> July 2008

Dear Sir / Madam

**Consultation response: SHEP on Historic Battlefields**

The Royal Town Planning Institute (RTPI) welcomes the opportunity to respond to this consultation which sets out proposed policies for significant historic battlefields in respect of their identification and protection, the management of change and development within them, and the implementation of these policies.

The RTPI is the UK body chartered to represent the planning profession and offers these comments from the point of view of a diverse and policy-neutral professional body committed to supporting devolved government in Scotland. The Institute has approximately 2000 members in Scotland, working across all sectors of central government, local government, government agencies, the voluntary sector, private consultancy, the development industry and academia.

Since devolution, the Institute has empowered its RTPI in Scotland Office, together with its Scottish Executive Committee, with the responsibility for working with government and public bodies generally for the improvement of the planning system in Scotland. This is in accordance with its charter obligation to work for the public interest.

The Institute's responses to the questions in the consultation document are set out below

Question 1:

***Do you agree that a policy for the protection and sustainable management of historic battlefields is necessary? If not, what alternative course of action would you suggest, and why?***

1. The Institute agrees that a policy for the protection and sustainable management of historic battlefields is necessary to recognise their important status as cultural landscapes and to afford them greater protection.

Question 2:

***Do you agree with the scope and definition? If not, what changes would you propose and why?***

2. In general, the Institute supports the approach to the definition of battlefields. However, further thought might be given to the historic context and significance of events. In defining areas for protection it might be appropriate to focus less on scale and more on the significance of the event. Paragraph 4.4 recognises difficulties associated with definition, location and evaluation, however, some local flexibility in definition and justification might be encouraged.

***Are there other reasons for valuing battlefields that should also be considered?***

3. The Institute agrees that battlefields may be valued for a number of reasons. They are emotive reminders of the impacts of conflict and mortality and as such should be places of quiet contemplation. Such places should be of national significance and awarded strong protection. They are of particular importance in landscape and cultural terms and these policy connections should be emphasised in this policy document.

Question 4:

***Do you support the proposal to create a non-statutory Inventory of nationally important battlefields? If not, what alternative approaches should be considered?***

4. There is some concern that a non-statutory inventory will not adequately protect nationally-important battlefields. However, this approach is supported on the grounds that battlefields will be treated as 'material considerations' within the planning system. The Institute welcomes the definition and effective conservation management of these sites. The effective planning of these areas should recognise the value of the historic asset and lead to better protection and effective management in the future.

Question 5:

***Should an Inventory of Historic Battlefields be given the same status currently enjoyed by Gardens and Designed Landscapes within the planning system?***

5. The Institute considers that this should be a minimum requirement and that further consideration should be given to strengthening both mechanisms. With regard to battlefields, it might be useful to establish a parallel set of criteria to those used to assess the Inventory of Gardens and Designed Landscapes. It is suggested that local communities should be included in the list of those consulted in paragraph 4.13. In addition, further information would be useful in paragraph 4.16 on how the process of change will be actively managed and funded. The possible advantages afforded by Conservation Area designation might be considered.

Question 6:

***Do you agree with the purpose of the proposed Inventory? If not, what changes would you suggest and why?***

6. The proposed purpose seems appropriate. To be effective in informing 'the sustainable management of change', the Inventory should clearly recognise the elements of value. Management objectives for each site will need to be developed. In addition, it would be useful to have a record of all battlefields, however defined, so that, where appropriate, the local development plan can make provision to recognise historical developments of national and local significance. The inventory should be web-based and freely available.

Question 7:

***Do you believe that the criteria set out in Annex A are suitable? If not, what alternative criteria would you suggest and why?***

7. The criteria given in Annex A are central to the implementation of policy and would benefit from being placed within the main document. It is suggested that paragraph 5.2 should indicate that selection will be on the basis of the consistent application of clear criteria and the judgements of national experts; that paragraph 5.4 (a) should add 'and be significant in military history'; and in paragraph 5.2 (d) consideration might be given to the landscape setting, and views in and out of the site, which should be protected, if they have any military, visual or conservation management significance.

Question 8:

***Do you agree with the proposed definition of the area of interest? If not, what changes would you suggest and why?***

8. It is suggested that if it is not possible to locate specific elements of the battle then the general area should be given precautionary protection. It may be appropriate to consider the identification of a core area and a buffer zone, even within a wider setting. The difficulties associated with definition of sites in some cases is recognised, however, it does not seem appropriate to exclude sites on the basis of disagreement over boundaries. Identification of the location of the site should be enough to add the site to the inventory, although obviously the implications for management of a site which has boundaries incapable of detailed definition may be considerable. It is suggested that the precautionary principle should apply.
9. Taking the long view, even the most disturbed landscape has the potential for redress – and perhaps limited archaeological investigation. The description should also define the setting and any necessary buffer zone(s). A fund might be established, in the early years of the Inventory, for non-invasive archaeological assessment/investigation. The battlefield core may be the area where it is suggested the need for preservation will be the greatest.

Question 9:

***Do you agree that policies are needed for both the overall area of the battlefield and specific areas within it? If not, what changes would you suggest and why?***

10. It is suggested that policies are also required for the setting of the battlefield, including views to and from the site.

Question 10:

***Do you agree that best practice guidance would be useful? If so, who should lead in developing this? If not, what alternative approaches should be considered?***

11. The Institute agrees that best practice guidance should be developed to support implementation of this policy. Experience from the rest of Europe and the USA may also be worthy of examination. There should be close relations with policy and guidance under the Scottish Planning Policy. Guidance should be offered in the form of a Planning Advice Note, and other more technical subjects should be covered by a Technical Advice Note. As with Listed Buildings, the review of the Inventory should be a rolling programme, with the objective of regular review every 5 years (to fit with the Development Plan reviews). Sites should be able to be added, amended or removed. The condition of the site should not be a factor as to its inclusion or not in any Inventory, but rather may be relevant to the appropriateness of proposals for Conservation Management which would then be selected. The Local Authority Heritage Forum could be a useful mechanism within which to promote the development of guidance and advice: there should be further consultation on the content and appropriateness of draft guidance.

Question 11:

**Do you agree with the roles identified here? If not, what changes would you propose, and why? Are there other key stakeholders who have significant roles to play?**

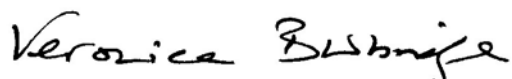
12. The Institute considers that it will be important to identify the lead agency responsible for the key document and that as a minimum there should be a draft Conservation Strategy, probably produced by Historic Scotland with the aid of wide consultation. The Institute considers that other key stakeholders, including local communities and landowners, ought to be consulted: a measure of temporary statutory protection should be provided during this process. Some consideration should be given in paragraph 6.3c to the effects of activities that lie outwith the planning system: some form of variation on the Conservation Area might be appropriate. At paragraph 6.2.d it might be helpful to refer to the policy guidance framework of the SHEP, TAN, PAN and the Local Development Plan. Ideally the Management Plan might be incorporated as Supplementary Planning Guidance. It might also be useful to include a role for Local Authorities to be able to fund work to or about these sites. At paragraphs 6.3.b and 6.3g reference to 'strategic planning' should be amended with reference given to the Strategic Development Plan and the Local Development Plan. The Institute considers that the Inventory should include battlefields of more local importance and guidance should be given to drawing up this list, in the same way that the original list of historic gardens was compiled as a precursor to the IGDLIS system.

13. Other detailed comments include:

- paragraph 6.3.c might add '*settings, and their long-term conservation management*' to the end of the sentence;
- paragraph 6.3.d might add – '*Inventory sites, the long-term conservation of battlefields and managed access to them;*'
- in paragraph 4.a it would be helpful to note that neighbours and local communities ought to be consulted;
- paragraph 6.4 might include '*those responsible for local HE records;*'
- in paragraph 6.4. a specific mention could be made of NTS, which has developed some experience of conservation management planning, including of battlefields, over almost 20 years;
- paragraph 6.4.e might include other work to achieve the long-term protection and conservation management of sites; and
- reference might also be made to the museum sector where artefacts are housed, conserved and interpreted to the wider public.

The Institute trusts that these comments are of assistance and has no objection to its comments being made available to the public in the usual way. Should you wish any clarification or further assistance, please do not hesitate to contact me at our Edinburgh office: 57 Melville Street Edinburgh, EH3 7HL phone: 0131 226 1959, or email: [scotland@rtpi.org.uk](mailto:scotland@rtpi.org.uk)

Yours sincerely



National Director

