

What controls are placed on works to Scheduled Ancient Monuments?

Most types of work which will affect a Scheduled Ancient Monument or its setting, cannot be undertaken without the written permission of the Scottish Ministers. This is known as Scheduled Monument Consent (SMC). This includes demolishing, destroying, damaging, removing, altering, adding-to, flooding or covering up the monument. Even works to repair, enhance, maintain or protect the monument need to have permission.

It is a criminal offence to undertake unauthorised works to a Scheduled Ancient Monument.

It is particularly important that scheduled sites are preserved *in situ* and within an appropriate setting. 'Setting' includes the visual landscape and land management context as well as the relationship between the monument and any related archaeology. This means that the Planning Authority will not normally approve a planning application which would have an adverse effect upon a Scheduled Ancient Monument or its setting.

Permitted Development rights which otherwise might permit modest work without the need for planning permission **may not apply** where the development impacts on a site with statutory protection such as a Scheduled Ancient Monument.

What is the difference between Scheduled Ancient Monuments and Listed Buildings?

Generally, buildings in use are Listed rather than Scheduled. In a small number of cases a building may be both Listed and Scheduled. In such cases the Scheduling legislation takes precedence. See also the leaflet on listed buildings.

Further Information & Advice

If you think that your development proposal could affect an archaeological site, we would encourage you to check with the Archaeology

Unit at an early stage. This could save valuable time when you submit your planning application.

The Highland Council Archaeology Unit

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The Highland Council HER is open for public consultation by appointment; the database and library can be viewed at Glenurquhart Road.

Advice on Scheduled Ancient Monuments is available from Historic Scotland. Historic Scotland's address is: Longmore House, Salisbury Place, Edinburgh EH9 1SH and the website is at <http://www.historic-scotland.gov.uk>

Planning staff are available during office hours (9am to 5pm Monday to Friday) to provide information and advice in relation to planning matters. It will often be more appropriate to make an appointment.

If in any doubt, please contact your local Planning and Building Standards Office; details of locations given in Leaflet 1.

To request this information in an alternative format, e.g. large print, Braille, computer disc, audio tape, or suitable language, please contact George Boyd at 01463 702564.

This series of leaflets is intended to give you some general advice and guidance on the planning and building control system; they are not a definitive guide to the law. Please note that this series is being added to on a regular basis.

John D Rennilson, Director of Planning and Development

The Highland Council
Planning & Development Service

Leaflet



Planning, Archaeology & Scheduled Ancient Monuments

Dealbhachadh,
Airceòlas is
Carralghean
Àrsaidh Clàraichte

Planning & Building Standards Help & Advice Leaflets

What is Archaeology?

Archaeology is the wide ranging study of the traces people have left on the landscape, extending from the earliest human use of our landscape some 8000 years ago.

The Highlands contain a wealth of well preserved archaeological sites, many of which are well known. They all represent a valuable resource for present and future research, tourism, education and community identity.

How do we know if there are archaeological remains on your site?

The Council Archaeology Unit maintains the Highland Historic Environment Record (HER). The HER is a record of all known archaeological and historical sites, monuments and buildings. The HER currently contains details of over **39,000** features of all types and periods. If you want to find out what remains are recorded on your site please contact the Council's Archaeology Unit.

Which archaeological sites are recorded?

All known sites of potential archaeological or historical interest are recorded. Archaeological sites include the more obvious and visually impressive sites, monuments and buildings, as well as smaller features, historic gardens and designed landscapes. Archaeological sites also include sites associated with folklore, place names, historical events or people, or sites mentioned in literature or shown in paintings, of which no trace may now survive. Of course not every site is currently known about, and our records are being constantly updated and extended.

What controls are placed upon works affecting an archaeological site?

The Highland Council places emphasis upon the preservation and promotion of our heritage

through the Structure Plan and Local Plans. Scottish Executive and Council policy state that archaeological remains are a **finite, non-renewable resource**, which should be left in place wherever possible. Where this is not possible, then a detailed record should be made of all features that will be destroyed.

The Archaeology Unit works to ensure that this takes place while minimising restrictions or delays to development. This is achieved by assessing and advising on all planning applications in the Highland Council area.

It is recognised that preservation may not always be possible, and where damage is unavoidable various mitigation measures may be proposed. Where a proposal is likely to have an impact on an archaeological site or its setting, the Unit will make recommendations to the Area Planning and Building Standards Manager. These recommendations will generally be included as a condition attached to the planning permission. It is very rare for an application to be refused for archaeological reasons. In most cases potential problems can be resolved in advance.

Where preservation in-situ may not always be possible, and where damage is unavoidable various mitigation measures may be proposed:

- In areas considered to be of high archaeological potential, conditions may require an evaluation of the development site - by research, reconnaissance survey or trial trenching - to identify any previously unrecorded sites and establish their nature and extent.
- In other cases it may be necessary to have an archaeologist monitoring the removal of topsoil.
- In exceptional cases, an archaeological excavation may be required in advance of development.

A Precautionary Note

Occasionally unexpected finds - including human

remains - are made during development where no archaeological condition has been requested. All developers are asked to bring this to the attention of the Archaeology Unit as soon as possible.

What is a Scheduled Ancient Monument?

A Scheduled Ancient Monument is an archaeological site that has been given legal protection because it is deemed to be of National Importance. A planning application affecting a Scheduled Ancient Monument will be determined by Historic Scotland on behalf of the Scottish Executive.

Where a Scheduled Ancient Monument, or its setting within the landscape, will be affected, the permission of the Scottish Ministers must be obtained before the work can be carried out. This is known as Scheduled Monument Consent and must be obtained before work is commenced even if planning permission has already been given.

How are monuments chosen to be Scheduled?

Historic Scotland is responsible for determining whether sites shall be scheduled. Sites are identified for inclusion within the Schedule based upon an assessment of several aspects including their condition, period, rarity, situation, fragility or associations.

Monuments considered to be of National Importance which have not yet been scheduled, are treated in the same regard as scheduled sites.

How do you know if an archaeological site on your property is Scheduled?

To find out if an archaeological site on your property is scheduled contact either Historic Scotland or the Archaeology Unit.