

The Highland Council

City of Inverness Area Committee – Thursday 5th March

Agenda Item	10
Report No	CIA/8/15

Culloden Muir Conservation Area Designation, Character Appraisal and Management Plan

Report by the Director of Development and Infrastructure

1. Background

- 1.1 Local Planning Authorities have a statutory duty under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 to designate as conservation areas parts of their area which are of special historic or architectural interest the character and/or appearance of which it is desirable to preserve or enhance.

Once designated a conservation area places a statutory duty on the local planning authority to have due regard to the desirability to preserve or enhance the character and or appearance of the designated area when considering proposed developments. The planning authority also has a statutory duty to publish, from time to time, proposals for the preservation and enhancement of their designated conservation areas.

Designation changes the permitted development rights of building and land within the designated area bringing certain types of development which would normally be permitted development under planning control. This means that within a conservation area planning permission is required for a range of development including satellite dishes, boundary enclosures such as walls and fences, the erection of agricultural buildings, alterations to windows and doors. The substantial or total demolition of buildings within a designated conservation area requires conservation area consent, proposals for substantial or total demolition are also required to be formerly referred to Historic Scotland as part of the determination process.

The existing conservation areas for Culloden Battlefield and Culloden House were first designated in 1968. It would appear that this is the first formal and substantial review of the existing designations since that date.

In 2011 Historic Scotland developed and published the Battlefields Inventory which includes an entry for the Battle of Culloden. The area covered by the Inventory site covers both Culloden House and its policies and a wider area for the Battlefield. Inclusion in the Battlefield Inventory is a non statutory designation.

Additionally there has been extensive guidance on the designation and

management of conservation areas in recent years which would be applicable to the area at Culloden.

In light of the new non statutory designation on the Battlefields Inventory by Historic Scotland, research into the Culloden Muir area and the more recent guidance on the designation and management of conservation areas it is considered appropriate that the existing conservation area designations are now reviewed.

As such an extensive amount of work has been carried out to reassess the area and the current designations against the criteria for the designation of conservation areas in line with current best practice and guidance.

2. Culloden Conservation Areas As Existing

- 2.1 Currently there are 2 distinct and separate conservation areas at Culloden, Culloden House and Culloden Battlefield. The first step in review has been to consider these existing designations. Culloden House and its associated structures are listed buildings and are subject to Designed Landscape and Battlefield Inventory site designations. As such it is considered that there is little to be gained from having a further layer of designation and that the existing Culloden House conservation area designation should be removed. Whilst this does not directly form part of the recommendations of this report Committee should be aware that this would form part of the final review to be considered for approval by committee at a later date.
- 2.2 The Culloden Battlefield conservation area designation is now out dated given later and more recent research which has better identified the area of the 1746 Battle and has also allowed for the designation and interpretation of other historic environment assets and areas of special historic interest within the landscape of Culloden Muir. The existing designation was drawn fairly tightly around the National Trust visitor site and, although not clearly documented, appears to have been established based on visibility from the visitor centre. It is proposed that the conservation area designation is revised to better reflect the special historic and architectural interest of the area.

3. Progressing the Culloden Muir Proposal

- 3.1 Scottish Ministers must be formerly notified of the designation of any new conservation area. It is good practice to have community involvement in new designations and the long term management of conservation areas. And all conservation areas should ideally have in place a detailed character appraisals and management plan.

Therefore, subject to members approval, it will be necessary for the proposed new conservation area, character appraisal and management plan to under go a period of public consultation prior to final adoption and notification to Scottish Ministers.

Subject to member approval, the Culloden Muir conservation area draft

proposals, character appraisal and management plan will be published for public consultation for a minimum period of six weeks.

The consultation will include press adverts, posting on the Council website, copies available in libraries, service points and Council offices. In this case it is also recommended that copies and notifications are made available at the National Trust for Scotland visitor centre, subject to the Trusts agreement. Additionally the proposals will be circulated to a compiled list of interested parties and key partners/stakeholders including amongst others Historic Scotland, Forestry Commission, Glasgow University, Highland Historic Building Trust and, of course, the National Trust for Scotland.

Following the public consultation exercise all comments will be recorded and considered and if necessary the draft proposals, character appraisal and management plan amended accordingly prior to the final version being brought back to committee for formal approval.

At that stage the Culloden Muir Conservation Area Management Plan will be referred to the Planning, Development and Infrastructure Committee for adoption as Supplementary Guidance to the Inner Moray Firth Local Development Plan.

4. Implications

- 4.1 There are no wider implications to existing resources associated with this report. The cost of consultation will be met by existing budgets and all time and work associated with this process is within existing capacity.
- 4.2 This report simply presents draft proposals and documents for public consultation and therefore does not present any implications for the Council in terms of legal implications, equalities, Climate Change/Carbon Clever, Gaelic and/or Rural issues.

Committee will be aware that conservation area designation places statutory duties on the local authority. However, in this case the proposals simply review, revise and refine an existing designation therefore there are no new implications associated with the recommendations of this report.

It is recommended that members agree to further public consultation on the proposal for a revised conservation area designation at Culloden Muir. It is also recommended that members approve the draft Culloden Muir Conservation Area Appraisal and Management Plan for public release and consultation to inform a final version for later approval and formal adoption by Committee.

Designation:

Date: 16th February 2015

Author: Kerry Hawthorne

Background Papers:

Culloden Muir Conservation Area Character Appraisal and Management Plan (**To be available for Members from 25th February 2015**)

Attached current and proposed conservation area map

Attached map of the proposed conservation area boundary and the Battlefield

Inventory boundary