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Our ref: AMA/50/CD  
Your ref:  
25 August 2008

Dear Mr Dean

## **CLACKMANNANSHIRE CORE PATHS PLAN CONSULTATION DRAFT AND ENVIRONMENTAL REPORT**

Thank you for consulting Historic Scotland on the draft Core Paths Plan and the accompanying Environmental Report (ER). I am replying on behalf of Historic Scotland (HS).

We welcome the preparation of this draft plan and, for the avoidance of doubt, this response provides our comments on the draft plan and on the ER. We have used the information included in the ER to help our review of the draft plan and accordingly, have combined our comments into a single response.

Our review of the ER is undertaken in our capacity as a Consultation Authority under the Environmental Assessment (Scotland) Act 2005.

Attached you will find two Annexes. Annex A contains a table detailing HS's comments on specific paths and comments on the ER. Annex B details HS's recommendations for an appropriate consideration of the historic environment in selection and development of core paths.

### **Draft Core Paths Plan**

We welcome the preparation of this draft plan and have considered it from our national historic environment perspective. The proposed extension of the core path network in the Clackmannanshire Council region and the opportunities it will bring for greater public accessibility to, and promotion of, cultural heritage sites in the area is also welcome. In this

regard, the proposed core paths should contribute to the positive management and stewardship of these sensitive sites.

Our comments on this draft plan are set against that general background and the wider context of policy within the relevant Clackmannanshire Council Development Plan and national planning policy as detailed in the attached Annex B. As noted above these comments concentrate on national issues. If you have not already done so, we recommend that you seek information from your Council's Archaeology and Conservation Service on the likely impacts of the proposed core paths on regional and local issues.

I hope this has been helpful to you. Should you wish to discuss any of the issues raised in this letter or its annexes, please contact Nicola Hall at [nicola.hall@scotland.gsi.gov.uk](mailto:nicola.hall@scotland.gsi.gov.uk) or on 0131 668 8994.

Yours sincerely

**MIRIAM McIVER**  
Team Administrator

## Annex A

<b>Core Paths Plan</b>			
<b>Map Number</b>	<b>Path Number(s)</b>	<b>Potential Impact(s)</b>	<b>Comments</b>
Map 2	27	SAM & Cat A Listed Tullibody, Old Bridge 1600m W of (Index No. 630) (HB NUM 1977)	Refer to Annex B Sections 3.1 & 3.3
Map 2	28	SAM Cambus, Iron Bridge Over River Devon (Index No. 3741)	Refer to Annex B Section 3.1
Map 3	80	SAM Windmill, dovecot, New Sauchie (Index No. 4163)	Refer to Annex B Section 3.1
Map 3	182	SAM & Cat A Listed Sauchie or Devon Tower (Index No. 629) (HB NUM 1980)	Refer to Annex B Sections 3.1 & 3.3
Map 5	99	SAM, Cat A & PiC Clackmannan Tower (Index No. 90073) (HB NUM 1946)	Refer to Annex B Sections 3.1, 3.2 and 3.3
Map 5	102	SAM Kennetpans Distillery, Clackmannan (Index No. 5012)	Refer to Annex B Section 3.1
Map 7	142, 143 & 147	SAM, Cat A, PiC & GDL Castle Campbell (Index No. 90063) (HB NUM 1941)	Refer to Annex B Sections 3.1, 3.2, 3.3 & 3.4

### Key

SAM	Scheduled Ancient Monument
Cat A Listed	Category A Listed Building
PiC	Properties in Care
GDL	Gardens and Designed Landscapes



## Annex B

### 1. General considerations

Impacts on historic environment features often depend on the land-take associated with infrastructure and supporting activities, and may be avoided through appropriate locational measures. Impacts on the historic environment should be considered in terms of the following:

- Direct i.e. loss and or damage to a feature of the historic environment
- Indirect i.e. effects on setting; changes to surface drainage patterns; removal of peat; etc.
- Any works to maintain/upgrade paths which cross listed structures such as bridges may require Listed Building Consent (LBC)
- Any works to maintain/upgrade paths or insert sign posts within a scheduled area will require scheduled monument consent (SMC) – see SHEP 2
- Sign posts erected in the vicinity of scheduled monuments or listed buildings should be located in a position which does not impact upon the setting of the monument or listed building. These works may need consent under the GDPO.
- Additionally, HS should be consulted on any works to create/maintain/upgrade paths where they fall within the boundary of a garden or designed landscape included in the Inventory of Gardens and Designed Landscapes in Scotland.

### 2. Policy

The sensitivity of such sites and the historic environment as a whole should be taken into account in any assessment of environmental impacts associated with the creation and maintenance of core paths. Scottish Historic Environment Policy (SHEP) 1 explains what we mean by the term “historic environment”. It sets out Scottish Ministers’ vision for the future of the historic environment, the key principles and policies which apply, and the role of HS and others in delivering this vision. Other documents in the SHEP series provide more details on the specific policies which apply to particular aspects of the historic environment. These documents can all be found on HS’s website at [www.historic-scotland.gov.uk/index/heritage/policy/sheps.htm](http://www.historic-scotland.gov.uk/index/heritage/policy/sheps.htm).

### 3. Impacts on Designated Sites

3.1. Scheduled Monuments: Numerous proposed core paths are existing paths which cross or are in close proximity to scheduled ancient monuments. Where new paths are proposed in the vicinity of scheduled areas we strongly advise that they are re-routed to avoid all such direct impacts. Any works proposed to create new or improve existing paths through the legally protected area of a scheduled monument would require the prior written consent of Scottish Ministers (SMC) under Section 2 of the provisions of the Ancient Monuments and Archaeological Areas Act 1979. Applications for SMC should be made to HS. SHEP 2 provides further details on this process. However it should not be assumed that such consent would necessarily be forthcoming for such works. If you wish to discuss SMC, please contact our area Inspector of Ancient Monuments, Ann MacSween, in writing at this address or by telephone on 0131 668 8778.

3.2. Properties in Care: HS should also be consulted on any proposals to upgrade or carry out physical works to any paths within the boundary of any Properties which are within the Care of Scottish Ministers and maintained by HS on their behalf.

3.3. Listed Buildings: Any works directly affecting a listed structure will require LBC. The planning authority should consult with HS on works affecting the setting of an A-listed structure.

3.4. Gardens and Designed Landscapes: Proposals to upgrade core paths which pass through designated gardens and designed landscapes, which follow the line of existing paths, should be informed by the existing, often original, path structure. Proposals for paths which have no historic precedent should be very carefully considered to ensure that they will not significantly impact upon the visual integrity of a particular area or, threaten the viability of important trees or planting.

#### 4. Signs

4.1. For proposed signage that may lead to works on a scheduled monument, we recommend early consultation with HS. Under Section 2 of the Ancient Monuments and Archaeological Areas Act 1979, any works within the scheduled area, for example temporary fencing, installation of gates and sign posting, can only be carried out with the prior written consent of Scottish Ministers (SMC).

4.2. In the case of paths which lie within or adjacent to properties in the care of Scottish Ministers we would recommend early discussion with HS on the content of signage referring to these monuments and their status.

4.3. Responsibility for assessing proposed signage works affecting listed buildings lies with Clackmannanshire Council. Where such proposed works involve changes to A and B listed buildings, they require to be referred to HS for LBC. For further advice, contact the local planning officer but in general terms, signs should be carefully located and it may be more appropriate to place a sign near rather than on a listed structure. Their design should complement the age and architectural style of the building and their materials, colour and lettering should be carefully chosen. The number of fixings should be the minimum necessary, should be non-ferrous and where possible, should be fixed into the joints rather than into the masonry.