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Your Ref:



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BUILDING · CONSERVATION

Making Heritage Work

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Historic Battlefields Consultation
HS Inspectorate, Room 2.31
Longmore House
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Dear Sir/ Madam,

CONSULTATION ON THE INVENTORY OF HISTORIC BATTLEFIELDS

The Institute of Historic Building Conservation (IHBC) is the professional body of the United Kingdom representing conservation specialists and historic environment practitioners in the public and private sectors. The Institute exists to establish the highest standards of conservation practice, to support the effective protection and enhancement of the historic environment, and to promote heritage-led regeneration and access to the historic environment for all.

The Scottish Branch of the Institute welcomes the opportunity to comment on this consultation and has the following comments to make on the document.

General comments

1. At this stage we will leave comment on the choice of the 17 proposed sites and inclusion or not of other potential sites to representatives of the individual Local Authorities concerned, also any comments on the detailed descriptions and boundaries of the 17 sites.
2. We note that the selection criteria have previously been determined and are set out in Annex 5 of the SHEP.
3. We welcome the statements (including in the Background to the Inventory document) that HS is working with LA's in preparing a (draft) Managing Change leaflet on Historic Battlefields, but are disappointed with the document issued on 26 January 2011 (see our separate response on that consultation).
4. We consider there to be a need for further guidance on the issues of setting and buffer zones in relation to historic battlefields.

Comments arising from the booklet "A Guide to the Inventory of Historic Battlefields"

1. Page 5 Conserving Battlefields. We note paras 4 and 5 of this:

"The Inventory is non-statutory, which means that there are no new legal restrictions on the area identified by the Inventory maps. Instead, Inventory sites are given particular consideration in the planning process and planning authorities take the Inventory sites into account when preparing development plans and considering development proposals for their areas.

Planning authorities are encouraged to establish policies within their development plans and may give battlefields additional protection through conservation area status or other local landscape designation. They are advised to develop appropriate conditions and agreements to protect and enhance sites on the Inventory, and set out criteria to guide their decision-making."

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2. We would suggest that Historic Scotland should either provide model policies, distinguishing between Inventory and Non-inventory sites, for LA's to consider; or as an alternative, make good practice examples of such available. This would accord with para 2.73b of the SHEP. Otherwise, in view of the insufficient guidance so far provided by Historic Scotland, there is a danger of differing protective designations and policies being developed by different Local Authorities, which would not be welcomed by the private sector (and we are disappointed the draft Managing Change on Historic Battlefields encourages that approach). We also consider that Planning Authorities should be encouraged to define sites to which the relevant policies will apply, through their local plans and Supplementary Planning Guidance.
3. There will be circumstances where Conservation Area designation may be appropriate for a battlefield site. However, this will clearly not always appropriate, eg if it contains built up areas whose built form does not merit Conservation Area designation. If there is to be an 'other local landscape designation', then what this is should be made clear in the guidance. It would be preferable for all such sites in Scotland to have similar designations rather than varying designations between local authority areas.
4. The IHBC is concerned at the statement in para 7 that:
*"Planning authorities **may** consult Historic Scotland on development proposals considered to affect an Inventory battlefield"*
In the light of HS's responsibility as set out on page 10 "What is HS's Role?" 1st para:
"We are responsible for protecting and providing advice on the management of the most important parts of Scotland's historic environment, "
IHBC considers there should be a **requirement** for LA's to consult HS on proposals affecting Inventory Battlefield sites. Possibly in later course it may be feasible to establish a system akin to Category B LBC delegation, whereby LA's with demonstrable qualified expertise in Battlefields could take on responsibility.
The current wording does not accord with SHEP para 2.65 which refers to a requirement to consult Historic Scotland and take HS's views into account as a material consideration.
5. We are also concerned at the final sentence on page 8 under "What is included in the Inventory?" and consider that **any nationally important site should be included in the Inventory even if it can be only partially mapped**. As worded, the Guide to the Inventory would appear to be contrary to SHEP para 2.64, which states the Inventory "will identify nationally important sites and provide information to" (it does not say this will apply only to the ones that can be adequately mapped- a concept which if it remains requires definition- and we note that Bannockburn is rightly included in the proposed Inventory and yet it can only be partially mapped).
6. Finally, we would comment that the absence of consultation on a new Managing Change leaflet on Battlefield sites, at the same time as this consultation on the Battlefields Inventory, is regrettable.

The Scottish Branch of the Institute would be grateful if you could consider these points before the final documentation on the Inventory of Historic Battlefields is produced.

Yours sincerely,

Richard Cartwright
Scottish Consultations Secretary, Institute of Historic Building Conservation