



# FORESTRY AND SCHEDULED MONUMENTS

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HISTORIC  
ENVIRONMENT  
SCOTLAND

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## I. INTRODUCTION

This guidance is about forestry and scheduled monuments. It contains advice for anyone involved in creating, planting, felling or managing forestry, amenity woodland or other trees on or near scheduled monuments. It also applies to other forest operations such as roads, drainage or fencing. It will help you plan and undertake forest operations in a way that keeps scheduled monuments safe. It has detailed advice on what to do and what permissions you need.

[Scheduled monuments](#) are historic sites that have been given protection using an Act of Parliament, the [Ancient Monuments and Archaeological Areas Act 1979](#). We call this ‘the 1979 Act’. They are a type of ‘designated site’.

There are over 8000 scheduled monuments in Scotland. They range from prehistoric rock art, cairns and hillforts to castles, townships and more recent sites such as 20th-century wartime defences. There is a series of leaflets on the different types of scheduled monuments available from our website.

HES is the regulator for scheduled monuments in Scotland. Scottish Forestry consults us on forestry proposals to help them determine applications, such as for long term forest plans, woodland creation proposals and felling authorisations.

Where proposed works may impact a scheduled monument, consent from HES is usually required.

Hound Point Battery (SM13686), a WW1 coastal artillery battery located on a wooded ridge overlooking the navigation channels of the Firth of Forth.

We also provide advice on other designated sites:

- [Listed buildings](#)
- [Inventory battlefields](#)
- [Inventory gardens and designed landscapes](#)
- [World Heritage Sites](#)
- [Historic Marine Protected Areas](#)

In addition, HES is a Consultation Body on Environmental Impact Assessment (EIA). There is more information about this in the FAQs at [Section 9](#).

You should also consult local authority archaeology services for advice on all other significant heritage features that may be affected by the planned forestry operations.

Scottish Forestry’s Historic Environment Resource Guide for Forest and Woodland Managers in Scotland (2017) provides further information and advice about the historic environment, in support of the UK Forestry Standard. While the document remains useful you should be aware that it has not been recently updated – you should get contact details for local authority archaeology services from the Association of Local Government Archaeological Officers.



## 2. HOW ARE SCHEDULED MONUMENTS PROTECTED?

National policy for decisions that affect the historic environment is set out in [Historic Environment Policy for Scotland \(HEPS\)](#). Our [Managing Change in the Historic Environment Series](#) gives guidance on applying policy.

Once a site is scheduled it is protected in several different ways.

### PROTECTION UNDER THE 1979 ACT

There are strict controls on the types of works or activities which can take place within the protected area. Most works need our consent. Carrying out work without our permission is against the law.

The principles, aims and policies we use when deciding consent applications are set out in the [Scheduled Monument Consents Policy](#). The aim is for scheduled monuments to have long-term protection in the national interest. We are likely to welcome felling that would remove trees from a monument but will weigh up the benefits of work against any harm that might result. We will not normally grant consent for extensive intervention.

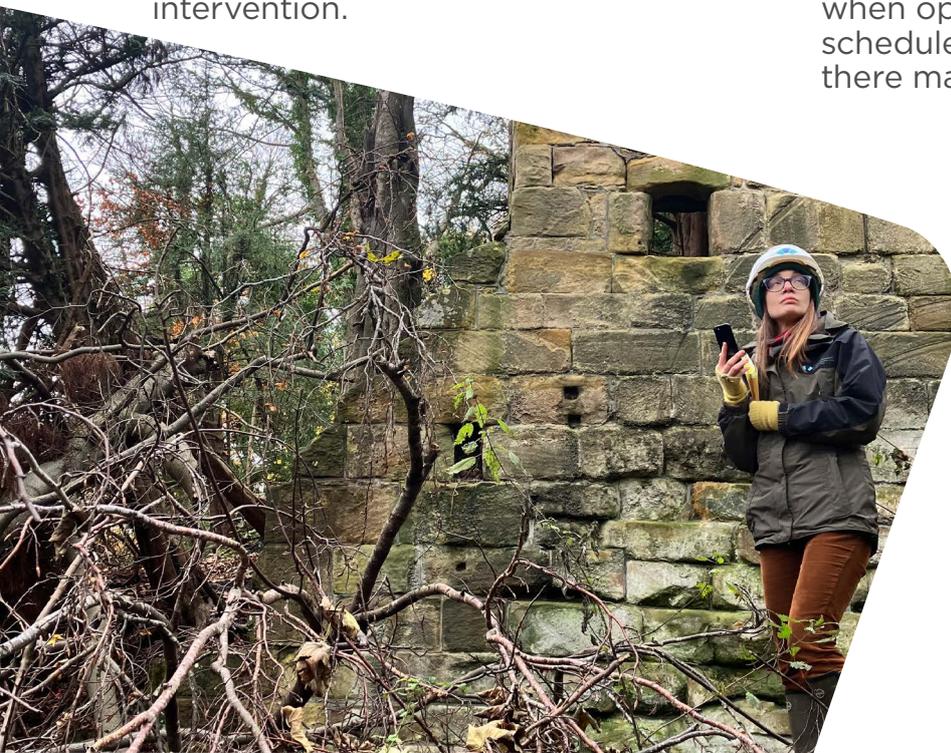
### PROTECTION WITHIN FORESTRY

We assess and comment on forestry proposals when Scottish Forestry consult us. Protecting and managing scheduled monuments and their settings is a key part of the UK Forestry Standard ([UKFS 5](#)).

UKFS Requirements and Guidelines are designed to ensure the historic environment is preserved for future generations and included in the forest planning process. This includes having processes to protect monuments from accidental damage during forestry works, actively managing their physical condition and protecting or improving their settings.

We are likely to encourage management of a scheduled monument and its surroundings in a way that will keep it in good condition. UKFS suggests areas of open space should be left around scheduled monuments and should be managed to prevent scrub growth where appropriate. Some scheduled monuments are standing buildings and will benefit from sensitive works to maintain their condition and prevent decay.

UKFS recommends consulting HES when operations are planned near a scheduled monument, not just when there may be direct impacts.



A HES Officer inspects an area of overgrown vegetation and fallen trees affecting the Heugh Mills at Dunfermline Abbey (SM90116).

## PROTECTION WITHIN THE PLANNING SYSTEM

Some forestry works, such as forest roads and compensatory planting, may be considered via the planning system. The planning system provides protection for scheduled monuments and policy to protect them is included in the national spatial strategy for Scotland - [National Planning Framework 4](#). Our role here is explained in more detail in [Our Regulatory Framework](#).

## PROTECTION WITHIN AGRICULTURE

Scheduled monuments are also protected by the standards set out in the [Retention of Landscape Features \(GAEC7\)](#) by the Scottish Government's Rural Payments and Services. If monuments are altered or damaged without our consent penalties can be applied to payments.

## 3. HOW CAN I FIND OUT IF THERE ARE SCHEDULED MONUMENTS WHERE I WILL BE WORKING?

The easiest way for you to check if there are any scheduled monuments on or near where you are planning work is to use our [PastMap](#) website or our [Designations Map Search](#). Both of these are online maps that show the boundaries of scheduled monuments in red. They let you zoom in and out so you can explore the maps at different scales and levels of detail. Once you have found the area of land you are interested in, make sure the scheduled monument layer is selected to check for protected sites. If there is a scheduled monument on or near to land where you are planning work, you can click on it to find out more about it. You should look at the legal document for the scheduled monument for details of what is protected.

We also provide electronic data for use with geographic information systems (GIS), survey and GPS equipment. You can find this on our [Portal](#).

If you need help, please contact us with details of where you are planning work and we will let you know if there are any scheduled monuments nearby.



Markers placed outside of scheduled areas can help to identify the legally protected area and prevent accidental damage during forestry operations.

## IDENTIFYING THE BOUNDARY OF A SCHEDULED MONUMENT

Identifying the protected area of a scheduled monument on the ground can be challenging - some scheduled monuments are depicted on Ordnance Survey maps but the extent of the protected area is not. Scheduled monuments are not always visible. The protected area can include below-ground features and some surface features may be concealed by vegetation and trees. These are particularly vulnerable to accidental damage. If you are in doubt, we are always happy to help. We can provide further information or visit to show you where the protected area is.

### Identifying a scheduled monument using a map

We recommend you use a map provided by us. To identify the protected area of a scheduled monument on the ground you will need to use a map which includes:

- **Scale:** The scale of the map will depend on the size of the scheduled monument and surrounding area. The size of the scheduled area must be clear on the map. The map should contain a scale bar or grid lines to allow you to measure distance
- **Scheduled monument:** The map should show the extent of the scheduled monument clearly
- **Fixed points:** The map will need fixed points that you can find on the ground to measure the position of the monument from

### Our publicly available spatial data for scheduled monuments

We publish a range of spatial data for scheduled monuments on our [Portal](#).

These include shape files, web services and atom feeds for use with geographic information systems, survey and GPS equipment.

If you are planning works on your land which require a survey, your survey team can use this information to mark out the extent of the protected area of a scheduled monument.

Our publicly available spatial data can be used alongside survey equipment to mark out the extent of a scheduled monument.



## 4. WOODLAND CREATION AND FOREST PLANTING

You are responsible for identifying and protecting heritage features when planning new woodland or making plans for any protection or management, including fencing, civil engineering, harvesting, restocking, or planning or upgrading forest roads and tracks. You need to consider the historic environment and communicate your decision-making and proposed mitigation when preparing material for approval, as set out in the UK Forestry Standard - [UKFS 5](#).

### CHECKING FOR SCHEDULED MONUMENTS

We recommend you check for scheduled monuments and other heritage features at an early stage. You can use the information described above on [page 5](#).

Scheduled monuments are not always visible. The protected area of a scheduled monument can include below-ground features. Surface features may be concealed by vegetation and trees. For these reasons they are particularly vulnerable to accidental damage. It is important for you to check if there are any scheduled monuments on or near where you are planning to undertake forestry works.

The [PastMap](#) website also shows other heritage features. For local authority areas, it shows heritage features that have other designations or do not have any legal protection. To comply with UKFS you should consult the local authority Historic Environment Record for more information about them. The Historic Environment Records are held locally by local authorities. Contact details are maintained by the [Association of Local Government Archaeological Officers](#).

A stone forming part of Larach Bhan cairn (SM4104), an upstanding element of a wider monument otherwise largely hidden by scrub within woodland.

### CONSULTING HISTORIC ENVIRONMENT SCOTLAND

In line with UKFS we strongly recommend that you engage with us in advance when proposing any woodland creation, forest operations or management works and when preparing forest plans. This will allow us to highlight potential impacts on scheduled monuments and discuss whether scheduled monument consent will be needed. To help communicate with us, we recommend including SM reference numbers when you make any lists, descriptions or maps of historic features.

You can contact us by email at [hmenquiries@hes.scot](mailto:hmenquiries@hes.scot) or by phone on 0131 668 8716.

Decisions on grant applications, felling licence applications and long term forest plans could be delayed if there have not been pre-application discussions with us. We should be able to identify any potential issues with scheduled monuments before you spend time and resource finalising detailed applications or plans.



## PROTECTING SCHEDULED MONUMENTS AND IMPROVING THEIR CONDITION

You should take account of scheduled monuments when planning woodland creation or preparing forest plans.

### Protecting the whole scheduled monument from physical impacts

You should protect the whole site area inside the scheduled monument boundary from physical impacts.

This will normally mean planning to exclude all planting, forestry works, and new fencing, drainage and roads from the land within scheduled monument boundaries plus a 20m buffer.

Vegetation can damage archaeological sites. [UKFS 5](#) notes it will often be appropriate to safeguard heritage features as an area of open space and this applies especially to scheduled monuments. Managing a site as open space can help to preserve important features of a scheduled monument, including buried remains or buildings that may be damaged by root growth or falling trees. It can also allow upstanding features to be identified and safeguarded.

UKFS guidelines recommend the area of open space should normally extend a minimum of 20m beyond the boundaries of scheduled monuments. This can help to protect scheduled monuments from damage from windblow or falling trees. A 20m buffer can also help prevent accidental damage from forestry operations including machine movements, particularly where it is difficult to find the exact boundary of the scheduled monument on the ground.

In some cases, there may be existing trees growing within scheduled monument boundaries. We will normally welcome the removal or harvesting of trees from scheduled monuments using appropriate methods.

There is a presumption against restocking (or allowing regeneration) on scheduled monuments.

Forest plans should set out how scheduled monuments are to be protected, and should clearly show their location and extent.

**Section 6** explains that most works within scheduled monuments need permission from Historic Environment Scotland.

The slopes of Dun Deardail fort (SM2893) are kept clear of trees as managed open space. © Crown copyright Forestry and Land Scotland.



## [Protecting the setting of scheduled monuments](#)

Protecting scheduled monuments also includes maintaining their setting. UKFS states that the setting of designated heritage assets will need to be considered in woodland creation proposals and/or in the forest management plan.

Setting is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced. Our Managing Change guidance note '[Setting](#)' provides more information.

A 20m buffer of open space around a scheduled monument may contribute to maintaining its setting. However, in many cases you will need open space significantly beyond this minimum buffer to maintain or improve the setting of a scheduled monument. For example, where features are prominent in their surroundings or have sight lines associated with their function, the area to be excluded from planting must be larger to accommodate these qualities. It may be important to maintain sightlines down to a valley floor or between related monuments. Where groups of features occur close together, a larger area of open space is preferable to a series of smaller spaces.

Areas that have been felled or excluded from planting to enhance setting are likely to need maintaining as open space. This should also be considered in forest plans.

When you consult us, we can provide further advice on setting.

## [Including a management objective in forest management plans](#)

UKFS states scheduled monuments should be considered priorities for active conservation management and this should be included within

forest planning. This can include simple measures such as vegetation management.

You should ensure that management plans include regular monitoring of the areas of open space created on and around scheduled monuments. This should identify any management needed to keep them free from invasive vegetation, scrub and regenerating trees. Managing vegetation can help to preserve important features of a scheduled monument. It can also allow upstanding features to be seen and appreciated.

Open space can give multiple benefits. As well as improving the condition of heritage features, it can also provide biodiversity benefits by maintaining open-ground plant and animal communities, improving forests' ecosystem services and natural capital.

To maintain open space, you may need to plan works early in a plan cycle to remove trees and/or certain types of vegetation. You should then plan for repeat monitoring and on-going maintenance to prevent condition deteriorating.

Our Field Officers visit scheduled monuments to check the condition of sites and offer advice on management. They will liaise with you and provide management recommendations after their visit. These measures can be included in forest plans. If we have not visited for some years, you can contact us for advice at any time. There is [more information](#) on our webpage and in our leaflet '[Scheduled Monument Condition Monitoring](#)'.

You can also find out more about managing scheduled monuments at [Section 7](#) below.

## Access

It is important that access by foot to scheduled monuments is available so that their condition can be monitored and any necessary management can be provided. It should therefore be possible to reach a scheduled monument and it should not be entirely surrounded by dense plantation woodland or by other vegetation that cannot be crossed.

Scheduled monuments are Scotland's nationally important archaeological sites and monuments. We encourage you to improve public access to scheduled monuments within forest plans and to plan improved interpretation where appropriate.

Creating open space and managing vegetation on monuments can help provide considerable public benefit. As well as significantly increasing appreciation and understanding of these important sites, creating viewpoints can add interest to walks and contribute to people's enjoyment of woodland, ultimately enhancing wellbeing. This sort of management can also improve biodiversity.

We are happy to give advice on designing appropriate low impact solutions and applying for scheduled monument consent.

Afterwards, you should carefully monitor and manage public access arrangements to prevent unintended consequences such as erosion.

Signage directs visitors to Whitehill stone circle (SM55).  
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## 5. FOREST OPERATIONS NEAR SCHEDULED MONUMENTS

It is vital that you protect scheduled monuments during all forestry operations. To do this, we recommend several measures to prevent accidental damage to scheduled monuments.

### CHECK FOR SCHEDULED MONUMENTS AND UNDERSTAND THEIR BOUNDARIES

We explain at [Section 3](#) above that you can use our PastMap website or our Designations Map Search to see the boundaries of scheduled monuments. You can also use downloadable spatial data from our Decisions Portal with geographic information systems (GIS) alongside survey and GPS equipment.

When you are working close to a scheduled monument, it is very important to make sure you have correctly identified the edge of the protected area – this often extends further than visible features.

This information must be clearly communicated to everyone on site. All compounds, storage areas and vehicle access routes should avoid the scheduled area. Forest operations should not take place within scheduled monuments without our consent.

### IF IN DOUBT, ASK US IN ADVANCE

If you need help locating and identifying scheduled monuments, please contact us with details of where you are planning work. We will let you know if there are any scheduled monuments nearby and advise if scheduled monument consent is required.

## COMMUNICATION AND PLANS

In most cases of damage to monuments within forests, lack of communication between different parties is a major factor. Information about the location of monuments and the requirement to protect them must go to everyone doing works.

It is your responsibility to make sure everyone working on site knows about nearby scheduled monuments, the size of protected areas, and that they are protected by law. You should make sure the location and extent of the protected area of scheduled monuments is clearly marked on any work plans and forest maps.

### MARKING OUT SCHEDULED MONUMENTS

We recommend that you mark out the edge of the scheduled monument on the ground. You should use markers or temporary fencing placed outside the protected area. It can be useful to include an additional ‘buffer’ area to make sure there is no accidental damage. Use signs to explain why the marking out has been done.

We can provide free signage suitable for marking the boundary of a scheduled monument.

Use the advice in [Section 3](#) to accurately locate the scheduled monument boundary.

Identifying the protected area of a scheduled monument on the ground can be challenging. If you are in doubt, we are always happy to help. We can provide further information or may be able to visit to show you where the protected area is.

## MATERIALS AND INFRASTRUCTURE

Equipment, machinery and materials risk physical damage to scheduled monuments through soil vibration, compaction and erosion.

Storing of equipment or materials and stacking of timber must not take place on scheduled monuments. You should ensure that vehicle access routes associated with forest operations avoid passing through or close to scheduled monuments. If passing through a monument, this may require consent.

## AVOIDING WINDBLOW ON SCHEDULED MONUMENTS

Trees next to open space are at greater risk of windblow, which can cause significant damage to archaeological remains. The windblow risk of retained trees may be increased by felling in other areas (note that this is not limited to adjacent trees being felled).

- You should ensure that felling plans assess the windblow risk to monuments and mitigate impacts where required.
- If you are going to fell a coupe near a scheduled monument, but leave the trees on or next to the scheduled monument, you should assess whether they will be wind firm. If they are not, you should consider extending the felling to the scheduled monument (with appropriate consent).
- You should also consider removing large trees on the edge of open space which are vulnerable to windblow and could fall into a scheduled monument.

A windblown chestnut tree lies across a gravemarker within the grounds of Southdean Church (SM7034). The tree will need to be carefully removed in sections to avoid further damage.

## IF SOMETHING GOES WRONG

If something goes wrong and damage to a scheduled monument happens, the best thing you can do is stop all work and get in touch with us straight away. We will work with you to make sure the situation doesn't get any worse and, if appropriate, agree any actions that may be necessary.

There is more information at [Section 8](#) about unauthorised works on scheduled monuments.



## 6. FORESTRY OPERATIONS ON SCHEDULED MONUMENTS

### DO I NEED PERMISSION FROM HISTORIC ENVIRONMENT SCOTLAND?

The short answer is **YES**.

Most works to a scheduled monument need permission from Historic Environment Scotland. We call this permission scheduled monument consent (SMC).

You will need SMC in addition to any authorisation from Scottish Forestry or planning authorities.

'Works' that need SMC are defined in the 1979 Act. The definition is very broad:

- anything resulting in the demolition or destruction of or any damage to a scheduled monument
- any works for the purpose of removing or repairing a scheduled monument or any part of it
- making any alterations or additions, or any flooding or tipping operations on land in, on or under which there is a scheduled monument

This includes forestry operations, including afforestation. You must normally apply to us for scheduled monument consent and have consent in place before beginning any such works. It is a criminal offence to carry out these works without consent.

The UKFS highlights this legal requirement for consent, reflecting the 1979 Act. All felling, thinning or planting will almost certainly require consent.

### WORKS THAT NORMALLY REQUIRE SMC

Here are some examples of common activities that need consent if undertaken within a scheduled monument. This is intended to illustrate the range of work that needs consent and is not a complete list. You should always check with us if you are in any doubt about whether you need consent. Activities that need consent include:

- Digging to make or repair drains
- Replacing or inserting new fence posts and strainers
- Repairing a forest road or bridge
- Laying new paths or tracks
- Laying pipes or upgrading utilities
- Preparing ground for tree planting
- Planting trees or shrubs
- Stacking or dumping timber or brash
- Putting up new deer fencing
- Taking stone or gravel from a quarry or borrow pit
- Harvesting mature trees
- Removing wind-blown timber
- Thinning trees
- Cutting scrub with a flail
- Any other excavation

Common activities that do not need permission, as long as they are done in a way that does not damage or alter the scheduled monument, include things like grass cutting, hand-pulling weeds or cutting seedling trees or grazing livestock. However, you must be careful not to cause damage.

If you plan to drive over a scheduled monument, you should carefully assess whether you may disturb the ground surface or any other part of the scheduled monument. Causing any damage by driving a vehicle or machine may be a criminal offence. Again, we recommend you consult us if you are in any doubt about whether your works require consent or could damage a monument.

## RELATIONSHIP TO OTHER CONSENTS

SMC is separate from other consents, for example planning permission and forestry licensing. Often works that require scheduled monument consent also require planning permissions from the local planning authority or other forms of consent from public bodies such as Scottish Forestry. You should make sure you contact all relevant public bodies and understand the separate consents that your work might need.

If you need planning permission as well as SMC, it is normally best to deal with both applications at the same time.

In very rare cases, some scheduled monuments are also protected as listed buildings. Where both designations apply, only scheduled monument consent is needed because Section 55 of the Listed Buildings Act 1997 says that the scheduled monument consent legislation takes precedence over that set out for listed buildings. If you are in any doubt, you should consult your local planning authority as well as us. Planning authorities decide on the need or otherwise for listed building consent in any particular case.

## HOW DO I APPLY FOR SMC?

If you want to carry out works to a scheduled monument, you must apply to us for SMC. We do not charge for applications – or for pre-application advice.

There is more information about how to apply for SMC on our [website](#).

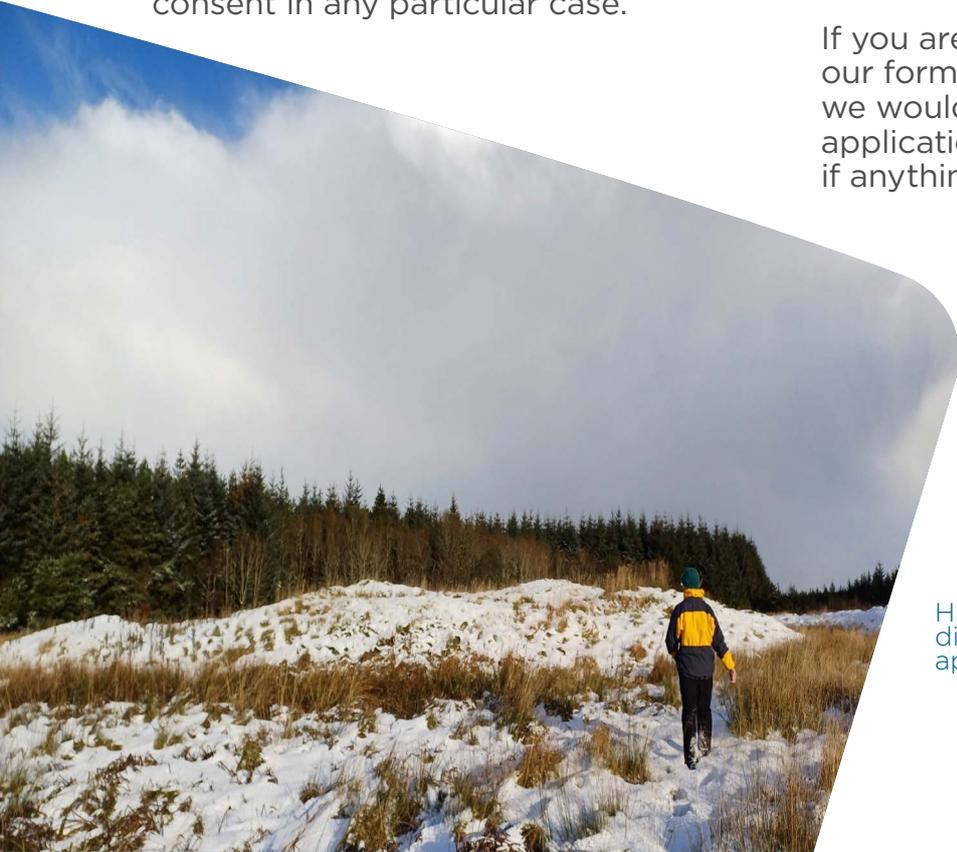
You can also find detailed guidance in our note [Works on Scheduled Monuments](#).

We have a free pre-application service for SMC. It will often save you time and effort if you discuss a proposal with us before applying.

If you have not contacted us before it is usually best to email us a brief summary of your situation and questions using the contact details at the end of this guidance note. A case officer will look at your enquiry and will normally get back to you within 21 days.

Once you have made your application, we will normally reach a decision on it within eight weeks.

If you are not sure how to fill out our forms, or about anything else, we would be happy to review your application as a draft and let you know if anything is not right.



HES officers may attend site visits to discuss proposals as part of the pre-application process.

## NATURE

The Nature Conservation (Scotland) Act 2004 placed a statutory duty on all public sector bodies in Scotland to further the conservation of biodiversity. To meet this duty, we will check to see if an application would affect a protected species or place or have an impact on biodiversity. You can find out more about protected places and species on NatureScot's website.

There is more information about how we consider impacts on protected places and species in our note Works on Scheduled Monuments.

## CLASS CONSENT

Some types, or 'classes', of works to scheduled monuments have pre-agreed consent. This is because they were given consent by law. This law is called the Ancient Monuments (Class Consents) (Scotland) Order 1996. We normally call this 'the Class Consents Order', and we call permissions like these 'class consents'. There is no need to make an individual application for scheduled monument consent for works that are covered by a class consent.

There is class consent for work that is urgently necessary for health or safety. This is specifically defined in the Order:

Works which are urgently necessary in the interests of health or safety, provided that:

- The works are limited to the minimum measures immediately necessary; and
- Notice in writing justifying in detail the need for the works is given to Historic Environment Scotland as soon as practicable.

An example of this could be fencing an area around unstable windblow next to a public road and putting up warning signs to keep people at a safe distance. If you are not sure what this might mean in your situation then we can discuss it by phone or email.

You must notify us in writing as soon as you can after completing any work under this class consent. You can do this online using our class consents notification form which is available on the class consents page of our website.

Scheduled monuments may be home to legally protected species, such as red squirrels, and may also lie within protected places such as SSSIs.  
© Crown copyright NatureScot.



## HOW DO I PLAN FELLING ON A SCHEDULED MONUMENT?

We are likely to support felling on scheduled monuments provided appropriate methods are used. In most cases, you will need to apply for scheduled monument consent. While each application for consent is assessed individually, we recommend you consider the following approaches to minimise damage to monuments during felling:

- Low-impact harvesting and extracting methods, such as use of a long reach harvester that may be able to reach into smaller scheduled monuments from outside
- No machinery or access tracks within scheduled monuments unless unavoidable
- Clearly planning access routes and timber tracks where machine access is necessary, keeping both harvester and forwarder impacts to the minimum possible
- Motor-manual felling of trees within the scheduled monument may be appropriate if a harvester cannot operate without a risk of damage.
- Protecting the ground with brash or rubber mats, then carefully removing them after use
- Providing protection from falling trees or to protect surfaces if winching could cause disturbance
- Planning any machine access routes or winching routes to avoid upstanding or sensitive features
- Removing all timber and brash from the scheduled monument
- Processing and stacking timber away from the scheduled monument
- Stumps left in-situ to naturally decay
- Avoidance of burning on scheduled monuments
- Limiting works to periods of dry weather
- Sectional felling of trees may be appropriate in some circumstances to prevent damage from tree fall

- Finding out exactly where the boundaries of scheduled monuments are
- Marking out and signing scheduled monuments
- Making sure everyone working on site knows how to work in a scheduled monument

## CAN I RESTOCK ON A SCHEDULED MONUMENT?

Tree planting and growth can damage below-ground archaeology, even if a site has been planted previously. Tree planting can also risk subsequent wind blow, which can be very damaging to monuments.

You would need SMC for any new planting or restocking on scheduled monuments. We would be unlikely to grant this consent. Restocking is likely to run contrary to our [Scheduled Monuments Consent Policy](#) and the UKFS guidance. Restocking without consent could be an offence.

However, we would be happy to discuss how land may be managed after felling. We are also happy to discuss cases with Scottish Forestry to seek solutions acceptable to all parties.

## 7. MANAGING SCHEDULED MONUMENTS IN FORESTRY

The majority of heritage features should be “retained as found, requiring simple conservation management through protection by avoiding damage or disturbance. The most significant heritage features and designated heritage assets [including scheduled monuments] should be considered priorities for active conservation management. Where appropriate, designated heritage assets should be managed in accordance with plans agreed with the appropriate statutory historic environment authority [HES]” (UKFS 5, page 48).

We recommend that you include a management objective in forest management plans to protect and maintain the condition of scheduled monuments. This should be done in line with UKFS and HES guidance. It is a UKFS Good Forestry Practice Requirement that “forest management plans and operational plans should set out how designated heritage assets [including scheduled monuments]... are to be protected and managed, and should clearly show their location and extent.”

### DEALING WITH WINDBLOW

Trees growing next to a scheduled monument may blow down onto the monument, or there may be existing trees on a monument that blow over. Regular monitoring can identify damage from windblown trees. Sometimes, root plates can lift and disturb buried archaeological features. When this occurs, it may be advisable to commission a professional archaeologist to record exposed remains. It is often possible to cut the trunk and return the root plate to its original position. Our consent may be needed before recording the damage or replacing the root plate goes ahead and you should contact us for advice.

The root plates formed by windblown trees can be sizeable and may cause extensive damage within scheduled monuments.



## MANAGING OPEN SPACE AND SCHEDULED MONUMENTS

Our advice on woodland creation and forest planning follows UKFS 5 and recommends establishing and/or maintaining open space on scheduled monuments and, normally, a buffer of at least 20m around them. This will apply in most situations, especially in plantation woodland. Additional open ground may be necessary to protect the settings of scheduled monuments.

The first step in managing open space is likely to be setting up regular visits to monitor vegetation. This can identify potential problems at an early stage, when simple, cost-effective measures may be all that is necessary. Timely removal of rank weeds or regenerating seedling trees may easily prevent growth of scrub.

Grazing may be helpful in maintaining stable, desirable vegetation such as grass. Sheep or cattle may help maintain grass and discourage woody vegetation. Care may be needed to avoid overgrazing, poaching or erosion, especially on features such as banks. Fencing may be needed to control livestock. If you plan to erect fencing to enable grazing, you should normally place this outside scheduled monuments. If this is not possible, you will need to apply to us for consent.

An alternative to grazing may be mowing, cutting or flailing. UKFS notes one cut per year can help control coarse vegetation and favour low-growing ground cover species and grasses. Bracken obscures features and its rhizomes can disturb buried archaeological remains. It can harm the appreciation and understanding of a scheduled monument. If it becomes established it can prevent grazing and allow scrub growth. Repeated cutting when the fronds have unfurled can help control it.

In some cases, a greater level of intervention may be needed to prevent damage to scheduled monuments. For example, control of rhododendron and larger regenerating trees might be needed, or removal of large trees assessed as vulnerable to windblow. There may occasionally be places where the canopies of mature trees can play an important role in suppressing regeneration and in these cases we are happy to discuss the best approach.

Within scheduled monument boundaries you will need to avoid ground disturbance. This means that use of machinery such as flails may not be appropriate, or would require consent from us. If you are not sure what vegetation control is appropriate, please contact us for advice. We may be able to visit and provide management recommendations.

## OTHER MANAGEMENT REQUIREMENTS

For most scheduled monuments in forestry, creation of open space and management of vegetation may be the main requirements. However, there may be some cases, perhaps involving standing buildings, where more complex active conservation management or structural consolidation may be appropriate.

We can assist with advice about what works may be appropriate and how to carry them out. You may need scheduled monument consent before any works go ahead and we can provide advice on this. In some circumstances, we may be able to meet or contribute to the costs. For more information, please contact us or visit the [Historic Environment Grant Programme](#) pages of our website.

## 8. UNAUTHORISED WORKS ON SCHEDULED MONUMENTS

The 1979 Act sets out several criminal offences in relation to scheduled monuments and protected places. We call these ‘unauthorised works’, and they include:

- damaging a protected monument
- causing, permitting or executing works to a scheduled monument without consent
- not executing works in accordance with the terms of consent and of any conditions attached to it
- using a device capable of detecting metals or minerals in a protected place without our written consent

In forestry, damage or unauthorised works can sometimes happen when site workers do not know the position or extent of scheduled monuments or do not understand the legal protection that they have. Examples of damage or unauthorised works that have happened during forestry operations include:

- Driving heavy machinery over sensitive remains such as rock art panels, completely destroying the ancient carvings
- Driving heavy machinery over the earthworks that mark the remains of prehistoric roundhouses, damaging the monuments and compacting the buried archaeological deposits within them

- Leaving waste timber and brash on a prehistoric settlement, filling in and hiding the defensive ditches
- Putting up deer fencing across a monument, damaging buried remains with post holes and making the monument hard to understand and access

We investigate, and seek to resolve, any works that happen without our permission. We call this process compliance.

We will always try to get all the information we need as quickly as possible. Once we understand what has happened, and how much the scheduled monument has been damaged, we will decide what further action is required and update those involved. You can expect our decisions to be proportionate, consistent and transparent. We will take any relevant circumstances into account.

Our [Compliance and Enforcement leaflet](#) explains more about our compliance process and what to expect if you are involved in an investigation of unauthorised works.

When undertaking felling or thinning operations in or around scheduled monuments cut timber must be stacked outwith the scheduled area.  
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## 9. FREQUENTLY ASKED QUESTIONS

### WHEN SHOULD I GET IN TOUCH WITH HES?

We recommend you consult us in advance when proposing any forest planning, management or operations that could affect scheduled monuments. You can contact us by email at [hmenquiries@hes.scot](mailto:hmenquiries@hes.scot) or by phone on 0131 668 8716.

### DO I NEED TO CONTACT HES ABOUT WORK TO OTHER HERITAGE FEATURES?

We also provide advice on other nationally important heritage features. This means:

- category A [listed buildings](#) and their setting
- [Inventory battlefields](#)
- [Inventory gardens and designed landscapes](#)
- [World Heritage Sites](#)
- [Historic Marine Protected Areas](#)

If you are creating or updating a forest plan or preparing felling or woodland creation proposals, and some of these assets are in the vicinity, you should consult us as for scheduled monuments. You won't need our permission, but we can alert you to any concerns before we are formally consulted by Scottish Forestry.

[Listed Building Consent](#) might be needed if any work is planned to a listed building. You should ask the planning authority if you have queries about listed building consent.

### WHO ELSE DO I ASK ABOUT HERITAGE FEATURES?

You should ask the local authority archaeology service about protecting and managing other heritage features that are not covered by HES. They will normally be able to provide information from a local Historic Environment Record. You can get contact details from the [Association of Local Government Archaeological Officers](#).

### DO I REQUIRE SCHEDULED MONUMENT CONSENT FOR FOREST OPERATIONS?

You usually need consent for forest operations such as felling, thinning and planting on a scheduled monument. You will also need consent for a range of other works including forest tracks. [Section 6](#) above has more information. If you are unsure if your planned works require consent, you should get in touch with us for free pre-application advice.

### WHAT PRECAUTIONS SHOULD I TAKE IF I AM WORKING NEAR A SCHEDULED MONUMENT?

When working near a scheduled monument, it is important that the edge of the scheduled area is clearly marked out on all maps and on the ground; no equipment, materials or timber is stockpiled on monuments; and all staff carrying out works are briefed on nearby monuments. We are happy to provide site-specific advice on how to protect monuments during forestry works where this is needed.

## CAN I USE FORESTRY MACHINERY ON A SCHEDULED MONUMENT?

Machinery has high potential to cause accidental damage to scheduled monuments. There may also be a risk of you breaking the law. We normally recommend that no machinery is used on scheduled monuments and that machines are located outside protected scheduled areas. However, there may be situations where machinery may be acceptable, with careful advance planning of access routes and ground protection.

## I HAVE ACCIDENTALLY CAUSED DAMAGE TO A SCHEDULED MONUMENT DURING FOREST OPERATIONS. WHAT SHOULD I DO?

If something goes wrong the best thing you can do is stop all works and get in touch with us straight away. We will work with you to make sure the situation doesn't get any worse and, if appropriate, agree any actions that may be necessary.

## WHAT ABOUT EIA?

The [Scottish Forestry - Environmental Impact Assessments](#) webpage gives all the relevant thresholds for forestry EIAs. It also has a useful link to their EIA application [guidance document](#) that has full information about EIAs for forestry.

## I AM CREATING A FOREST MANAGEMENT PLAN AND THERE ARE SCHEDULED MONUMENTS. WHAT SHOULD I CONSIDER?

You should normally ensure that scheduled monuments are protected as open ground with a minimum 20 metre buffer around them which remains clear of trees. This open space should be actively managed and access to monuments should be available. You should also consider whether a larger unplanted area is needed to protect the setting of a monument.

Lochbuie cairn (SM10850) is surrounded by a stand of trees, many of which are dead and liable to fall. The planned removal of such trees may be preferable when management decisions are being made.



## 10. FURTHER INFORMATION

### FINDING OUT ABOUT SCHEDULED MONUMENTS

There is much more information about the scheduling process, management and advice on our [website](#).

To find out about a particular scheduled monument and our decisions, use our [Historic Environment Portal](#) or search for a scheduled monument using our interactive [PastMap](#).

### RELEVANT LAWS AND POLICY

- [Ancient Monuments and Archaeological Areas Act 1979](#)
- [The Ancient Monuments \(Class Consents\) \(Scotland\) Order 1996](#)
- [The Forestry \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017](#)
- [Historic Environment Policy for Scotland \(HEPS\)](#)
- [Scheduled Monument Consents Policy](#)
- [Designations Policy and Selection Guidance](#)

### GUIDANCE

- [Environmental Impact Assessment Handbook](#)
- Our Managing Change in the Historic Environment Series:
  - \* [Works on Scheduled Monuments](#)
  - \* [Scheduled Monument Consent for Archaeological Excavation](#)
  - \* [Setting](#)
- Our guidance leaflets:
  - \* [Scotland's Scheduled Monuments](#)
  - \* [Scheduled Monument Condition Monitoring](#)
  - \* [Metal Detecting in Scotland](#)
  - \* [Compliance and Enforcement at Scheduled Monuments](#)
  - \* [The Treatment of Human Remains in Archaeology](#)
  - \* [Carved Stones: Scottish Executive Policy and Guidance](#)

### USEFUL INFORMATION FROM SCOTTISH FORESTRY

- [Scottish Forestry - Scotland's Historic Environment](#)
- [Forests and Historic Environment: Information and Advice](#)
- [Conserving and Managing Trees and Woodlands in Scotland's Designed Landscapes](#)
- [Historic Environment Resource Guide for Forest and Woodland Managers in Scotland](#)

### USEFUL INFORMATION FROM OTHER ORGANISATIONS

- [Association of Local Government Archaeological Officers](#)
- [The UK Forestry Standard UKFS 5](#)
- [NatureScot guidance on protected species and places](#)
- [Scottish Government Rural Payments and Services](#)

### CONTACTING US

Call our Planning, Consents and Advice Service on:

0131 668 8716

Or Email:

[hmenquiries@hes.scot](mailto:hmenquiries@hes.scot)

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