



HISTORIC  
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SCOTLAND

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# MANAGING CHANGE IN THE HISTORIC ENVIRONMENT

## Historic Battlefields

August 2016





Above: Most of Culloden battlefield lay under forestry until clearance by the National Trust for Scotland in the 1980s. While some areas remain planted, the positive impact of this clearance on our appreciation of the battlefield can be seen clearly in this image. © National Trust for Scotland, Culloden.

Cover image: The scene of the Battle of Glenshiel. In 1719 the Government and Jacobite armies clashed in the narrow pass seen here. © Historic Environment Scotland (Aerial Photography Collection)

# MANAGING CHANGE IS A SERIES OF NON-STATUTORY GUIDANCE NOTES ABOUT MANAGING CHANGE IN THE HISTORIC ENVIRONMENT. THEY EXPLAIN HOW TO APPLY GOVERNMENT POLICIES.

The aim of the series is to identify the main issues which can arise in different situations, to advise how best to deal with these, and to offer further sources of information. They are also intended to inform planning policies and the determination of applications relating to the historic environment.

# INTRODUCTION

This document provides advice for planning authorities, public bodies and others involved in planning and land management activities. It should be used when considering the impact of proposed development on sites appearing in the *Inventory of Historic Battlefields*. The main aims of the document are to set out:

- the significance of battlefields as nationally important historic environment assets
- the policy context for the protection of battlefields
- an approach for preparing and assessing development plans and other land-use proposals affecting battlefields
- the criteria which should be applied when making decisions relating to planning applications and other land-use planning proposals.

The focus of this guidance note is sites included in the *Inventory of Historic Battlefields*. However, the same general principles apply to development proposals affecting historic battlefields of regional and local importance.

# KEY ISSUES

1. Battlefields hold a significant place in our national consciousness and have strong resonance in Scottish history and culture.
2. Nationally important battlefields are recorded in the *Inventory of Historic Battlefields*. These battlefields are given special consideration in the planning system and other land-use systems (such as long-term forestry planning).
3. The *Inventory of Historic Battlefields* identifies battlefields of national importance, and provides information on them. This resource informs the management of change in these areas, through land-use systems, including the planning system.
4. All public bodies should take historic battlefields into account when preparing plans, policies and strategies.
5. Planning authorities should take historic battlefields into account when making decisions on planning applications and preparing local development plans.
6. Impacts on historic battlefields should be fully assessed when changes are proposed.

# I. THE SIGNIFICANCE OF HISTORIC BATTLEFIELDS

Historic battlefields hold a significant place in our national consciousness and have strong resonance in Scottish culture. They are valued for being the sites of significant historic events.

The site of a battle can contain upstanding or archaeological remains associated with the event. These may include the remains of people who fought in the battle. The landscape of a battlefield can help us to understand why events happened as they did.

Historic battlefields are also places where people can commemorate and

learn about our history, and recognise the significance of past events. They make an important contribution to the economy, education and society of the country.

The battles and their associated history are often known throughout the world, and are promoted by Scotland's tourism industry. They offer opportunities to promote our history and culture to people around the world, and reinforce a sense of place and identity for those living and working in Scotland.

The scene of the Jacobite's famous Highland Charge at Killiecrankie; the terraced slope provided cover from Government fire. © Historic Environment Scotland.



## 2. THE INVENTORY OF HISTORIC BATTLEFIELDS

The *Inventory of Historic Battlefields* is a major online resource that provides information on battle sites in Scotland. It aims to raise awareness of their significance and to assist in their protection and management for the future by furthering:

- understanding and appreciation
- education and research
- community and visitor interest.

The information given in the Inventory reflects current understanding, based on up-to-date research. Any proposed development changes should be assessed against this record.

A battlefield is defined as an area of land over which a battle was fought, or an area of land on which significant action related to a battle took place. The Historic Environment Scotland Policy Statement gives a full explanation of how historic battlefields are selected for the Inventory.



Soldier's Leap, Killiecrankie, well-visited scene of a popular tale of a soldier's bid to escape in the aftermath of the battle. © Historic Environment Scotland.

The criteria are:

- **Historical associations:** the battlefield should have strong associations with historical events or figures of national significance.
- **Physical remains:** there should be some significant physical remains of the battle, or archaeological potential for remains.
- **Landscape of the battle:** there should be evidence for the wider battlefield landscape around the battle site. This may include vantage points, lines of sight, earthworks, camps or burials.

It must also be possible to define the battle site with confidence on a modern map.

The Inventory brings together information about historic battlefields, and defines the geographical area considered to be of primary relevance to each one. This area includes the location of the main events of the battle, as well as associated physical remains and landscape features.

Each Inventory record describes the battlefield and the reasons for its inclusion, including details of:

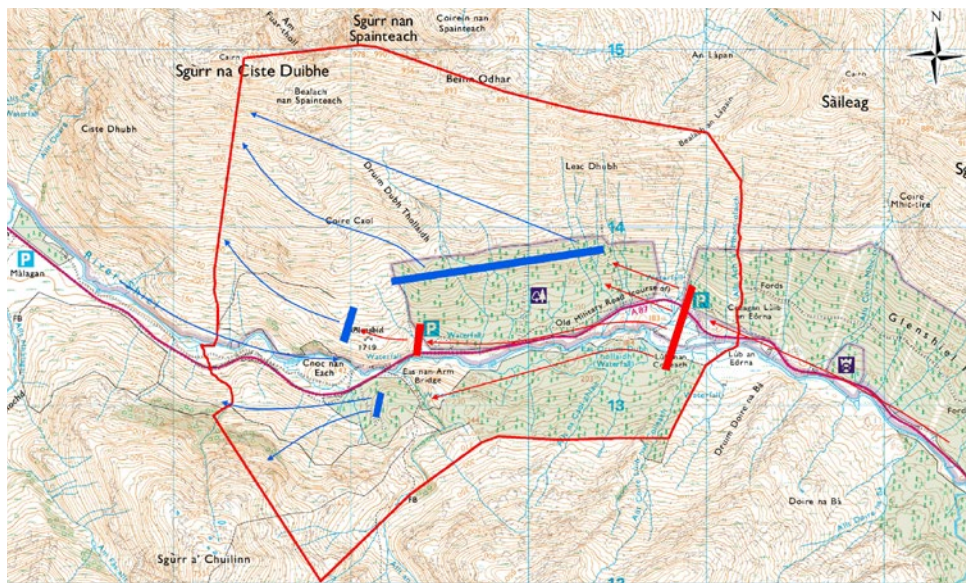
- the battle and its historical context
- the importance of the battle, with reference to the criteria given above

- the area defined by the Inventory maps.

The relevant areas and locations are shown in a series of maps, which highlight significant landscape characteristics and special qualities. At the end of each record, there is a list of key source material and references used in researching the information for the Inventory. These can support further study and educational uses.



A moment of quiet remembrance at Culloden.  
© Historic Environment Scotland.



Above: The Inventory map defines the overall area considered to be of interest. It includes the area where the main events of the battle are thought to have taken place, where associated physical remains and archaeological evidence occur or may be expected, and where additional landscape components, such as strategic viewpoints, may lie.

Below: John Henry Bastide's 18th-century map of the Battle of Glenshiel, indicating the Government and Jacobite deployments and their movements during the course of the battle. Historic maps such as this are an invaluable source of information in relating the site of a battle to the modern landscape. © Reproduced by permission of the National Library of Scotland.





### 3. LEGISLATIVE AND POLICY CONTEXT

Historic Environment Scotland maintains the battlefield Inventory. This is in line with The Ancient Monuments and Archaeological Areas Act (1979) and is a statutory duty of the organisation.

The Inventory identifies battlefields of national importance and provides information on them. One of its key aims is to provide a basis for managing change on battlefields, by informing the planning process.

When a battlefield is included in the Inventory, the information in the Inventory record must be taken into account when making decisions on planning applications. No additional consent is needed for undertaking works within an Inventory battlefield.

Planning authorities should consult Historic Environment Scotland on proposed developments that might affect a battlefield included in the Inventory. They should then take Historic Environment Scotland's advice into account when deciding whether permission should be granted for the development. If the advice is that the development should not go ahead, the planning authority must notify Scottish Ministers of this.

Some types of development that do not normally require a planning application may need one if the development site is in a historic battlefield. Planning authorities can advise on whether an application is needed.

National planning policy states that change in the historic environment should be sensitively managed to minimise adverse impacts. Changes to battlefields should seek to protect, conserve and, where appropriate, enhance historic battlefields. If a battlefield is to accommodate modern development, its key landscape characteristics and special qualities should be retained.

When making decisions about development that could affect an Inventory battlefield, planning authorities have to consider national policies for planning and the historic environment. There is also guidance available on handling archaeological matters in planning, and managing change in the historic environment.



Glenshiel: Some of the surviving elements of the Jacobite fortifications on the northern side of the valley, which are also designated as a Scheduled Monument. Physical remains of a battle can take many forms and are an integral part of our understanding of the field of conflict. © Historic Environment Scotland.

## 4. ROLES AND RESPONSIBILITIES

All public bodies have a responsibility for the care and protection of historic battlefields. Some have specific roles to play in this process at national or local level.

The Scottish Government sets the national policy for planning and the historic environment, which is then a consideration for national and local public bodies. Scottish Planning Policy informs the content of planning proposals, and encourages public bodies to keep up-to-date information on battlefields and historic assets within them.

Historic Environment Scotland maintains the *Inventory of Historic Battlefields* and also gives advice on managing change to areas within Inventory battlefields. Organisations that make decisions about development are legally required to consult Historic Environment Scotland if changes could affect an Inventory battlefield.

Planning authorities have an important role in protecting historic battlefields as the decision maker in planning applications. This applies to Inventory and non-Inventory battlefields. They should also consider battlefields in their

Covenanter's Field, Bothwell Bridge, where archaeological investigations have confirmed that fighting took place. © Historic Environment Scotland.



## 5. DEVELOPMENT PLANNING PROCESS

development planning processes. This should include defining appropriate local policies, and considering impacts on battlefields when identifying future development strategy.

Public bodies who have a responsibility for land management have to consider Inventory battlefields when they put together plans, policies and guidance. This allows them to manage change on battlefield sites appropriately.

Killiecrankie: looking from the remains of buildings at Croft Carnoch, the probable position of the Jacobite snipers in the early stages of the battle, towards the Government position. The relationship between these elements of the battlefield is vital to continued understanding of key events of the battle.  
© Historic Environment Scotland.

Strategic and local development plans should set out policies and criteria that apply to the protection, conservation and management of Inventory battlefields. Planning authorities should refer to these policies when considering planning applications.

Spatial strategies also need to reflect local and national policy on battlefields. When developing strategies, planning authorities therefore need to consider potential impacts and the capacity of Inventory battlefields to accommodate development without damage to their key landscape characteristics and special qualities. This process should follow similar principles to those outlined in the section on the development management process in Section 6.



## 6. DEVELOPMENT MANAGEMENT PROCESS

Development on a battlefield can have an impact on the physical remains of the battle or the landscape of the battlefield. The development management process should identify and assess these impacts, and if possible mitigate them. There are three key stages in this process, as laid out below.

Pre-application discussions are an important part of the development management process. Early and meaningful engagement often means that a project can move forward more efficiently. It can also allow planning authorities to identify unacceptable proposals early on, before significant

costs have been incurred. The earlier this process starts, the more productive it is likely to be.

Including a battlefield in the Inventory is not intended to be simply a barrier to development. The intention is to identify an area of added protection where particular consideration must be given to impacts on the site. This should focus on the special qualities and landscape characteristics of the battlefield. Planning authorities have to consider proposals carefully, and determine whether development will significantly detract from the importance of the battle site.

Commemoration is an important part of respecting battlefields, as here at Bannockburn where memorialisation forms part of the visitor experience. © National Trust for Scotland, Bannockburn.





Above: Bankton House, a listed building, featured in events of the Battle of Prestonpans.  
© Historic Environment Scotland.



Above: The memorial cairn at Culloden, erected in 1881. © Historic Environment Scotland.

We recommend that the development management process is undertaken in three stages:

- **Identify:** identify the current baseline of the site by assessing the area, or undertaking a site audit.
- **Assess:** define how the impact of the development will be measured, and assess how the site will be affected by the proposed development.
- **Mitigate:** identify ways to avoid, reduce or compensate for negative impacts through location, design or enhancement measures.

This process will allow developers to submit clear and useful information as part of any application for consent. This should explain the issues and demonstrate that the application is in line with the relevant policies.

## Stage 1: Identify the baseline

New proposals or land allocations should be evaluated as early as possible to inform the design and assessment process. A qualified and experienced professional should carry this out, using methodologies that are appropriate for assessing battlefield sites. This should be done first, to identify the current baseline, as any impacts of development will be measured against this starting point.

The starting point for information on the baseline of a battlefield is the record in the battlefield Inventory. The assessor should fully understand the record including the reasons for the battlefield's inclusion in the Inventory. This should cover details of buried and upstanding physical remains, and the landscape context of the battle. Other historic environment records and datasets should also be checked at this stage.

The aim of this early stage of assessment is to identify whether a proposal will have an impact on the battlefield. This impact could be on the physical remains, the landscape context, or both. To assess this it is necessary to look carefully at both the development site and its wider context in the battlefield.

This assessment can be split into three categories. Key considerations for each are given below.

### (a) Character and context

The assessment should focus on identifying important factors about the battlefield:

- previous development on the site
- topography, land cover and boundaries
- known or potential physical remains
- key views of, from, or across the site.

A metal-detecting survey was undertaken at Prestonpans as part of a structured programme of archaeological investigation. © Historic Environment Scotland.

### (b) Other heritage assets

Other factors might need assessment at this stage: for example, assets associated with the battlefield, or unrelated designations such as scheduled monuments, which might need consent for works in addition to planning permission. It is particularly helpful to identify this at an early stage.

### (c) Development

The nature of the development itself will be a factor in identifying the potential impact of proposals. For example, developments of larger scale or height are more likely to affect key views. Important factors might include:

- size and footprint
- proposed use
- design and layout
- landscaping proposals.



## Stage 2: Assess the impact

There are many separate factors to consider when assessing impacts on a battlefield. Each battlefield has its own key landscape characteristics, specific physical qualities and archaeological potential.

It is also important to identify less tangible values. Battlefields often contribute to a sense of place or cultural identity, and people use them as places of commemoration and remembrance. These issues might be appreciated at a local, national or even international level.

All of these values should be balanced in relation to the whole of the battlefield when assessing the impact of development. To be in line with national planning policy, any adverse impacts on Inventory battlefields should be minimised. Adverse impacts can affect any of the values of a battlefield. Different types of impact should be identified and assessed:

- **Direct:** alteration to the special qualities of the battlefield, such as damage to archaeological or other physical remains or features
- **Contextual:** changes to the key landscape characteristics such as interruption of key views or alterations to the character of the landscape
- **Cumulative:** adding to existing negative effects from other development that has been built or is planned.

Any of these impacts can reduce our appreciation and understanding of a battlefield. It is particularly important

to avoid impacts that compromise factors that were among the reasons for including the battlefield in the Inventory.

Each category of impact should be considered separately, along with any other relevant factors.

### (a) Direct impact on special qualities

Special qualities are the physical features within the battlefield area. These can include upstanding buildings and memorials, as well as known or potential areas of archaeological remains. Landscape features such as enclosures, defensive banks and ditches might also be included if they played a significant role in the battle.

Special qualities do not have to be contemporary with the battle. Recent memorials to a battle or individuals involved in it are often significant features in the current landscape of a battlefield. Such memorials can be a focus for commemoration or remembrance, and make a clear contribution to our understanding and appreciation of the battlefield.

Not all parts of a battlefield will contain archaeological remains or upstanding features. The most likely places to find physical remains are areas where:

- the main conflict or smaller engagements took place
- camps were made
- graves are located
- troops advanced or retreated.

Remains and features are most likely to have survived in areas that have not been disturbed by previous development. Sometimes the only surviving evidence may be spreads of shot and battle debris.

Development should aim to avoid significant loss or damage to key built or archaeological remains. The assessment of direct impacts on special qualities should identify these effects.

To do this, the assessment should consider the significance of the archaeological potential of the development area in relation to the overall battlefield. This process will be informed by professional judgement, with reference to the Inventory and other relevant sources.

If a section of a battlefield is already developed, it is likely that archaeological remains in that area will be compromised. Further development in these areas could still lead to additional loss or damage, which may be significant in some cases. The assessment should therefore consider these impacts.

Not all remains within a battlefield will necessarily relate to the battle itself. As battle sites often cover large areas, there may be earlier or later remains which are of heritage value. Making this distinction requires professional judgement. These remains will be a relevant consideration in the overall assessment of impacts on the historic environment. Unrelated remains or features should be assessed separately from battlefield impacts.

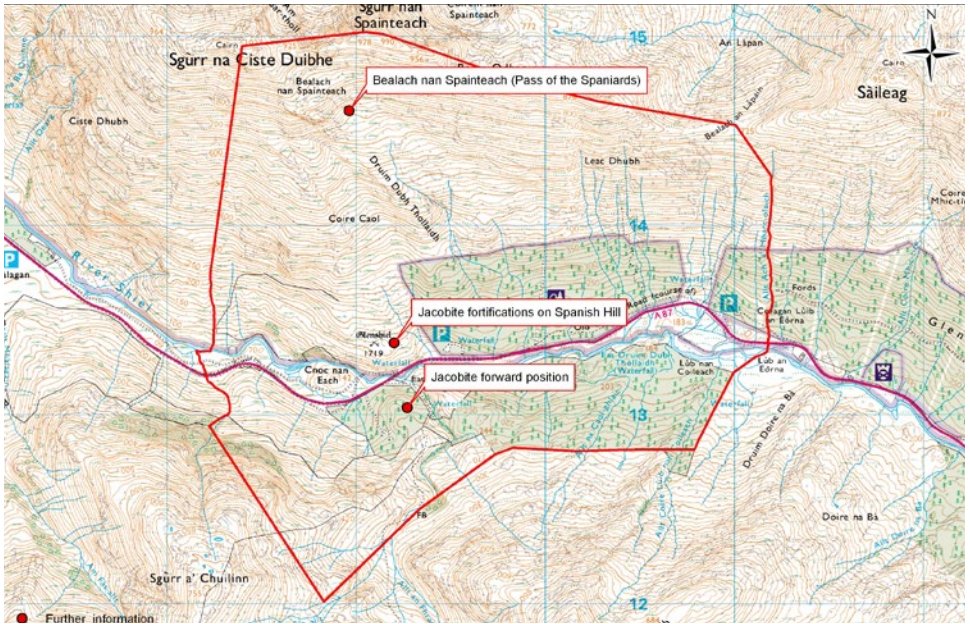
## (b) Contextual impact on key landscape characteristics

The terrain of a battlefield influences how and where it is fought. This landscape context helps us to understand and appreciate the battlefield. It can also provide a sense of place, contributing to remembrance and commemoration of the battle.

All landscapes change over time, because of natural processes and human intervention. However, the key characteristics of the battlefield terrain can often still be seen and understood today. These surviving elements contribute to our experience of the battle site.

Every battlefield has individual characteristics, and its ability to accommodate development will vary according to these. Battlefields can cover large complex areas, and it is not always possible or desirable to prevent all change within the battlefield area. Where development can be accommodated, it should be located and designed to conserve and enhance the key landscape characteristics of the battlefield.





Glenshiel Inventory map showing key landscape features. Wherever possible, the Inventory boundary map is supported with additional maps depicting information to assist with locating features of the battlefield mentioned in the text.

Significant impacts on landscape context can reduce our appreciation and understanding of the battlefield. Assessments should report any potentially significant impacts on the following factors:

- **Integrity:** the level of preservation of the landscape context, including the survival of key views and lines of sight, and relationships between different elements of the battlefield landscape
- **Significance:** the contribution of the landscape to understanding and appreciating the battlefield, including how the terrain and topography relate to the events of the battle
- **Character:** the land form, land cover and settlement pattern within the battlefield and the surrounding terrain, including the scale of the landscape in relation to the scale of any proposed changes
- **Experience:** the contribution of the landscape to our experience of battlefield, including less tangible elements such as sense of place and resonance in local and national culture.



Statue of Robert the Bruce at Bannockburn.  
© Historic Environment Scotland.

Most development outside the battlefield boundary will not have a significant impact on the landscape context. Some proposals beyond the boundary may detract from long-distance views to or from key features in the battlefield. The principles of assessing impacts on landscape context are the same for proposals outside the boundary as within.

### (c) Cumulative impacts

New development within battlefields should be assessed on its own merits. Sometimes development impacts that are acceptable in isolation combine to create a significant cumulative impact. These impacts may be direct or contextual.

Direct cumulative impacts may include significant losses to archaeological material. This could be caused by a series of developments, or other land-use changes. Cumulative contextual impacts may include incremental changes that erode or distract from key views or relationships between features in the battlefield.

Any new development could contribute to cumulative impacts. This should be assessed, and any potentially significant impacts reported. Cumulative impacts with past, present and future development should be considered.

## Stage 3: Mitigate and enhance

Good practice for mitigation identifies a hierarchy of preferred options. The highest of these is to avoid impacts altogether. Where this is not possible, developers should aim to reduce impacts through design.

Proposals should also identify enhancement opportunities where possible. Such measures are likely to be considered as compensatory. This is the least preferred option, and should only be considered as mitigation when opportunities for avoidance and reduction have already been explored.

### (a) Design and mitigating impacts

Good design can help to avoid and reduce impacts. This can be influenced by:

- **Site selection:** development should avoid the most sensitive areas of the battlefield, and aim to preserve physical features and landscape context
- **Development layout:** landscape elements which help our understanding of the site should be avoided, and existing site features may help to minimise adverse visual impacts
- **Building design:** location, orientation, form, massing, height and materials of new buildings should take account of existing site and landscape characteristics
- **Landscape design:** well-planned and executed landscape design may reinforce or enhance existing landscape features and character, and help to accommodate development within the site

Pre-application discussion is often the best way to identify and explore ways to mitigate impacts. In some cases, it will not be possible to mitigate all impacts. For example, it may not be possible to know whether there will be a direct impact on buried archaeological remains.

If the level of impact cannot be identified before planning permission is granted, planning authorities can ensure that this is assessed through appropriate survey, excavation and recording. Further advice is given in Planning Advice Note 2/2011: Planning and Archaeology.

### (b) Identifying opportunities for enhancement

Opportunities to enhance battlefields should be identified as early as possible. Such measures are unlikely to avoid or reduce impacts, but may provide benefits for the historic environment.

Enhancement schemes can increase our understanding of a battlefield, by funding historical, archaeological or local community research. They can also help to preserve the integrity of battlefield landscapes by revealing key aspects of terrain or opening up important views. Commemorative schemes or schemes that improve access or provide interpretation can also offer community and visitor benefits.

## 7. CONTACTS AND FURTHER INFORMATION

The [\*Inventory of Historic Battlefields\*](#) is available online through Historic Environment Scotland's [\*decisions portal\*](#).

### Relevant policies for historic battlefields can be found in:

[\*Scottish Planning Policy\*](#) (2014)

[\*Historic Environment Scotland Policy Statement\*](#) (2016)

[\*Our Place in Time – the Historic Environment Strategy for Scotland\*](#)

[\*Planning Advice Note 2/2011: Planning and Archaeology\*](#) gives advice on how to handle archaeological matters as part of the planning process.

### Local Authority planning contacts:

[www.scotland.gov.uk/Topics/Built-Environment/planning/Roles/Planning-Authorities/Information](http://www.scotland.gov.uk/Topics/Built-Environment/planning/Roles/Planning-Authorities/Information)

[\*PASTMAP\*](#) is a website developed to identify heritage sites

[\*HLAMap\*](#) is a website presenting data from the Historic Land-use Assessment which analyses and records the visible traces of past land use within the Scottish landscape

The following legislation sets out consultation requirements with Historic Environment Scotland:

- Town and Country Planning (Development Management Procedure) (Scotland) Regulations (2013)
- Town and Country Planning (Neighbouring and Historic Environment) (Scotland) Direction (2014)
- Town and Country Planning (General Permitted Development) (Scotland) Amendment Order (2014)

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